



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 167

WASHINGTON, THURSDAY, MARCH 18, 2021

No. 51

## Senate

The Senate met at 10 a.m. and was called to order by the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, today, guide our lawmakers to lead blameless lives by doing what is right. Throughout the day, may they repeatedly ask You to guide them in fulfilling Your purposes for our Nation. Lord, empower them to speak the truth from sincere hearts. Help them to trust in Your loving providence as they strive to be Your faithful followers. Grant that their quest for integrity will inspire them to seek Your divine approval and please You in all that they do.

We pray in Your majestic Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 18, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN RAY LUJÁN, a

Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. LUJÁN thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### MEASURE PLACED ON THE CALENDAR—H.R. 1799

Mr. SCHUMER. Mr. President, first, I understand there is a bill at the desk that is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1799) to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

Mr. SCHUMER. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

### GEORGIA SHOOTINGS

Mr. SCHUMER. Mr. President, the Asian-American community is still reeling from the senseless murder of eight people near Atlanta, six of whom were women of Asian descent. It will be some time before we understand what drove the madman who perpetrated

this crime, but there is no doubt that abuse, prejudice, and violence against Asian Americans is on the rise, and it is so un-American and so despicable that we all must be speaking out about this.

The same day that six Asian women were killed in Georgia, the Stop AAPI Hate organization released a report naming 3,800 incidents of hate against Asian Americans and Pacific Islanders, and that is just in 1 year alone.

The fear in the Asian-American community and the threat of violence against its members should be a topic of national conversation.

In the last 4 years—you know, we all know there have been forces of racism, dark forces, that have been often seen in America, but the last 4 years, where Donald Trump, at the very minimum, refused to condemn the bigotry in the instances when he should, have allowed them to come far more up to the surface. It is as if the society's superego that keeps these dark forces down has been greatly diminished or even removed.

It is up to us, particularly under the new President, who fights bigotry at every step of the way—but it is up to all of us to speak out against it and to act against it.

The story of the Asian-American community is quintessentially an American story, and we cannot allow the rising tide of bigotry against them, the intolerance against them, the prejudice against them to go unchecked because in a multicultural society like ours, an attack on any one group is an attack on everyone.

I love the Asian-American community. They are such fine, good American people. The story of the Asian-American community is quintessentially an American story. It is a story of coming here, building strong communities, opening local businesses, churches, civic organizations, and slowly but surely gaining the political representation they so deserve.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S1623

Just yesterday, we confirmed a nominee whose parents emigrated from Taiwan to become the U.S. Trade Representative. That is notable and important progress. But, unfortunately, the past few years have shown us that America has not excised the age-old demon of racism, and to too many it has become acceptable, permissible, or just shrug your shoulders. That cannot be.

With respect to the Asian-American community specifically and all communities, we must condemn rhetoric that is racist. In this case, we must condemn any rhetoric that blames the Chinese people for the coronavirus. President Trump did that, despicably, and that notion was too often encouraged by others who repeated his harsh, nasty, and bigoted words.

We must stand beside and stand up for our Asian-American brothers and sisters. Americans of every faith, every color, every gender and sexual orientation must band together against these dark forces of hate. As I said, they are always with us, but somehow after the 4 years of the Trump Presidency, they are rising to the surface and seem too acceptable to too many people. Fight them, fight them, fight them we must.

As we mourn with the people of Georgia, let us recommit ourselves to that most American of creeds that is right above the mantle where you sit, Mr. President, "e pluribus unum." Out of many, one.

America: "e pluribus unum." Out of many, one.

#### NOMINATIONS

Mr. SCHUMER. Mr. President, on nominations, today, the Senate will vote to confirm another member of President Biden's Cabinet, Xavier Becerra, to serve as Secretary of Health and Human Services.

In truth, Attorney General Becerra's nomination should not have taken this long. From the moment the Attorney General Becerra was announced as President Biden's pick for HHS, Senate Republicans have tried to derail his nomination. Their arguments almost verge on the ridiculous. They complain loudly that he had no direct experience as a medical professional, even though Republicans voted in lockstep to install Alex Azar, a pharmaceutical executive, who raised drug prices and tried to undermine our Nation's health law as the previous HHS Secretary.

Becerra, by contrast, has decades of standing up for working and middle-class Americans in Congress, fighting to protect and expand Medicare and Medicaid and working to safeguard our healthcare system from attacks by the Trump administration.

As the Biden administration works to defeat this pandemic, the President deserves to have his Cabinet confirmed, especially a post as important as HHS Secretary. I look forward to completing his nomination today.

A few days after Democrats gained control of the Senate, we had big tasks

ahead of us right away. I said that we had three important priorities to do quickly: One, the impeachment trial of Donald Trump; two, big and bold COVID relief; and, three, President Biden's Cabinet. We have already finished the first two priorities, and very soon we are going to finish the third.

I want to thank my colleagues, my Democratic colleagues, for working so quickly, so hard, and in such a unified team effort to allow all of this to happen. I am very proud of what we have done in these first few months.

Later today, the Senate will take its first vote on the nomination of Boston Mayor Marty Walsh to be our Nation's Labor Secretary. Early next week, after we confirm him, the Senate will have confirmed every available Cabinet Secretary and many more Cabinet-level appointments besides. That is excellent progress, and, again, I want to thank my colleagues in the Senate on both sides of the aisle for their votes in supporting these fine nominees.

What does it mean? It means the Biden administration will have the personnel in place to implement the American Rescue Plan, finish the fight against COVID-19, and bring our country roaring back. In the meantime, the Senate must continue to work to get the rest of the President's team in place.

#### AMERICAN RESCUE PLAN ACT OF 2021

Mr. SCHUMER. Mr. President, now on the American Rescue Plan. As Americans learn more and more about ARP, the American Rescue Plan, the more popular it becomes and the more optimistic Americans feel about our economic recovery.

Across the country, the support for the rescue plan has risen to over 70 percent. In January of this year, before President Biden took office and Democrats assumed the majority of the Senate, more than four in five Americans believed America was on the wrong track; less than one in five said it was on the right track.

Now a majority, 55 percent, believe the country is headed in the right direction. It is back on the right track. That is a dramatic turn rather quickly, but I think it is, in part, because of the good work we have done here in the Senate.

Now we have learned something else: Consumer confidence has increased faster after the passage of the American Rescue Plan than after any of the other stimulus bills passed by Congress, particularly among low- and middle-income Americans, who have suffered the most.

That is fantastic news. Americans at the top have been able to survive the pandemic much more easily than Americans at the lower end of the ladder. For that reason, economists have long feared a K-shaped recovery in which high-income earners recover quickly, while middle- and low-income earners are left behind.

The American Rescue Plan is finally restoring confidence and support for Americans at the middle and at the bottom, helping drive a robust recovery for everyone.

One crucial aspect of that recovery is support for housing. As we all know, during the pandemic, tens of millions of Americans were out of work and drained family incomes. Americans were forced into impossible choices: Do I pay the rent and utilities this month or do I buy another few weeks of groceries?

Sadly, more than 13 million Americans report that they have fallen behind on the rent, especially Black and Brown Americans.

So when Senate Democrats put together the American Rescue Plan, we made one of the most significant investments in housing assistance in recent history: more than \$20 billion in emergency aid for low-income renters, those at the greatest risk of eviction; \$10 billion to help homeowners behind on mortgages and utilities to avoid foreclosure.

We include crucial support for rural America, homeowners struggling with the mortgage, and Americans, particularly veterans, who have recently fallen into homelessness or at risk of homelessness.

The American Rescue Plan goes further in delivering housing assistance to Tribal Nations and Native Hawaiians, more than any other housing bill in history.

The American Rescue Plan, quite literally, will keep a roof over Americans' heads. It is just one of the many ways the ARP delivers relief to struggling Americans and sets the stage for a supercharged economic recovery.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### BORDER SECURITY

Mr. MCCONNELL. Yesterday, Secretary Mayorkas testified the "border is secure and the border is not open."

Yet the situation on our southern border has required FEMA, the Federal Emergency Management Agency, to be called in. So either this is the first time FEMA has been deployed just to admire a situation that is going smoothly or the administration is not being straight with the American people.

Here are the facts. Customs and Border Protection recorded more than 100,000 migrant encounters in February—100,000. That was up 28 percent from January. DHS projects the March totals will keep 2021 on pace for the most border encounters in 20 years. Unaccompanied child arrivals have jumped 63 percent, on pace to shatter all-time records.

This would be a humanitarian crisis under any circumstances, but it is even worse during a global pandemic. These thousands of unaccompanied kids are being housed in three-high bunk beds in facilities now stuffed at more than triple capacity. During the pandemic that is keeping kids out of schools and small businesses from fully reopening, these failing policies have us crowding these kids together down at the border.

And, don't forget, the Biden administration policy directs CBP to release migrants on U.S. soil while they await asylum rulings. That is without—with-out—a negative COVID test. So good luck to the communities on the border.

This isn't just a health and humanitarian crisis, though. It is a security crisis as well. New reporting suggests that multiple people arrested at the border in recent months have been matched to names on the FBI's terrorist watch list.

Democrats claim this overall influx is not because of their new administration. Well, that would be news to the migrants themselves. Some of these people have told reporters it was Democrats' rhetoric that led them to come. Some have shown up wearing T-shirts with the Biden campaign's logo on them.

Administration officials keep sending mixed messages, repeating phrases from the White House podium like "now is not the time to come." So there will be an appropriate time sometime later for people to enter our country illegally?

Speaking of mixed signals, this week, the House is voting on immigration bills. Are they leaping into action to repair the crisis? No, that is not what they have in mind. They are taking up an amnesty plan that would create a special new pathway to citizenship for illegal immigrants working in certain industries.

So to summarize, the administration can't admit they have caused the crisis. They have yet to address the crisis. And House Democrats are backing policies that would only exacerbate the wrong incentive.

#### ELECTIONS

Mr. McCONNELL. Now, Mr. President, on a completely different matter, I remember distant days long, long ago, way back through the mists of time, when Democrats said it would be wrong for Washington to overturn a State-certified election result.

No, wait a minute. That was 2 months ago. Two months ago, every Democrat, cable news channel, and

every liberal newspaper was melting down over some Republicans' efforts to dispute State-certified election results here in Congress. I vocally opposed those efforts myself.

But right now, as we speak, Speaker PELOSI and Washington Democrats are literally trying to overturn a State-certified election here in Congress. That is exactly what they are doing over in the House right now.

The voters of Iowa's Second District spoke in November. They counted the votes. They recounted the votes. The outcome was certified. That is the magic word, "certified," that we heard over and over and over again in November and December.

There was the opportunity to present complaints in court. Sound familiar? But the defeated Democrat passed up the opportunity to go to court. The process played out in a way that every liberal in America spent November, December, and January insisting was beyond question.

Ah, but there is a catch. This time—this time—the Republican won, and the Democrat lost. So Speaker PELOSI and Washington Democrats have set out trying to overturn the result from right here in Congress.

Congresswoman MILLER-MEEKS has been sworn in. She is here. She is working. But Democratic leadership is trying to use brute political power to kick her out and replace this Congresswoman with the Democrat whom she defeated.

You don't often see hypocrisy this blatant and this shameless so quickly.

Naturally, now that the Democrats stand to benefit from this, the concept of Washington overturning a certified election has gone from a massive outrage—a massive outrage—to a minor afterthought for much of the national media.

This is happening at the same time that House and Senate Democrats are pitching a massive takeover of all 50 States' election laws. The same people who are trying to overturn this certified election result want to ram through a bill that would let them control the democratic processes that will determine whether they keep their jobs and their majority in 2 years' time.

This isn't about principle. It is just an attempt to use a temporary majority to pull off a permanent partisan power grab.

Democratic leaders have razor-thin majorities in both Chambers. They are obviously afraid they are going to lose them, so they have decided their top priority is a Washington rewrite of election rules.

The Second District in Iowa is just the appetizer. Soon Democrats want to come for the main course. Every congressional district, all 50 States, every election for every Federal office would have to be run the way liberal Washington lawyers who donate to Democrats prefer.

Voter ID? Their bill bans it unless States implement a huge loophole that

makes it meaningless. But ballot harvesting, where paid political operatives can hand in stacks of absentee ballots with other people's names on them? It won't just be allowed; it will be mandatory nationwide.

Those are just two examples from an endless list. Outside special interests are putting tens of millions of dollars behind this.

In fact, some Democrats are so desperate to rewrite the rules of our democracy that many of them want to break the Senate's rules in order to do it. They want to break the Senate's rules in order to rewrite the rules of our democracy all over America. People will argue that it is worth destroying the legislative filibuster over H.R. 1 because the rules that govern our democracy are so important.

Of course, that is backward. The rules that govern our democracy are indeed uniquely sensitive and important. That is why this issue, of all issues, must be addressed in a fair and bipartisan way.

This isn't a uniquely justifiable place to shred the Senate's rules and ram through something partisan. It is a uniquely unjustifiable place to do it.

I worked with Chris Dodd to spearhead the Help America Vote Act back in 2002, a big landmark election bill that made it easier to vote and harder to cheat. It passed the Senate 92 to 2—92 to 2.

That is the kind of consensus you build if you want to tune up our democracy. That's the kind of broad bipartisan support that exists for making it easier to vote but harder to cheat, a far cry—a far cry from overturning a result from the last election and dictating the terms of the next one.

#### TRIBUTE TO JENNIFER HEMINGWAY

Mr. McCONNELL. Mr. President, now on one final matter, this week marks the end of Jennifer Hemingway's service as the Senate's Acting Sergeant at Arms. I am happy and grateful that Jennifer is actually not going anywhere. While she is stepping aside from the top job, as is custom when party control flips, Leader SCHUMER had the excellent judgment to retain Jennifer as the Sergeant at Arms Chief of Staff.

So, instead of a farewell, I just want to offer a few thanks.

I cannot imagine tougher circumstances than those in which Jennifer stepped into in this job. She had already impressed everyone as Deputy Sergeant at Arms, but when the Capitol was breached on January 6, she leapt into action on a whole new level.

It then fell to Jennifer to take the reins during challenging times. Her sure-handed leadership and institutional knowledge helped us get through a safe and successful inauguration just 2 weeks after January 6. Then came the fourth-ever Presidential impeachment trial, and there have been all the critical daily missions the Sergeant at

Arms team fulfills, from physical security to IT infrastructure.

So we were lucky to have such a poised professional on the job, and we are lucky she is sticking around. I know all of my colleagues share their gratitude for Jennifer's superlative service.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Xavier Becerra, of California, to be Secretary of Health and Human Services.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### FILIBUSTER

Mr. THUNE. Mr. President, once again, we are hearing chatter from some Democratic Senators about abolishing the filibuster. I had hoped we would move on from such talk after multiple Democratic Senators pledged to uphold the filibuster but apparently not. Apparently, some Democrats think that they can pressure or bully those Senators and other Democratic Senators who have expressed reservations into going back on their word.

Let me quote a former Senator on attempts to change filibuster rules in the Senate, and I am quoting:

We should make no mistake. This nuclear option is ultimately an example of the arrogance of power. It is a fundamental power grab by the majority party. . . . Folks who want to see this change want to eliminate one of the procedural mechanisms designed for the express purpose of guaranteeing individual rights, and they also have a consequence, and would undermine the protections of a minority point of view in the heat of majority excess.

That was former Senator Joe Biden.

Here is what a current Senator had to say on eliminating the legislative filibuster, and again I quote:

I can tell you that would be the end of the Senate as it was originally devised and created going back to our Founding Fathers. We have to acknowledge our respect for the minority, and that is what the Senate tries to do in its composition and in its procedure.

That was a statement from the current Democratic whip in 2018.

In 2017, 33 Democratic Senators signed a letter urging that the legislative filibuster be preserved—2017.

Of course, Democrats have not limited their support of the filibuster to words; they have supported it by their actions. In the last Congress, Democrats set a record for forcing cloture votes, which is what has to happen in order to end a filibuster. They repeatedly used the filibuster when they disagreed with legislation that Republicans were advancing. They filibustered COVID relief. They filibustered police reform even though Senator SCOTT and Leader MCCONNELL had committed to a robust, bipartisan amendment process. They filibustered pro-life legislation, and they made it very clear that they deeply regretted the fact that they could not filibuster judicial nominees—a situation, I would point out, of their own making. Even without the judicial filibuster, they used every tool at their disposal to slow down judicial nominations.

So, as of last year, Democrats' actions clearly demonstrated their firm support of the filibuster, but now that they have actually taken power here in Washington, albeit by the slimmest possible majority, they are pushing to get rid of it.

Democrats, of course, would like people to believe that this is a principled change; that all of a sudden, they have realized that it is really much better for the country if the majority party gets to do whatever it wants when it is in charge. Well, I just have to say, if you believe that, I have some nice oceanfront property in South Dakota to sell you.

I doubt that there is anyone anywhere in the country who seriously thinks that the Democrats' dramatic 180-degree turn on the filibuster is a principled reversal of their previous position. No, this isn't about principle. It is partisanship. It is political expediency. Democrats' principles haven't changed; their power in the Senate has. They are in charge now. They don't want anything holding them back, like that pesky Senate rule that they have used so often to their advantage.

The truth is, Democrats want a one-sided advantage. Last year, they were perfectly happy to exercise their rights as a minority and filibuster any Republican legislature they didn't like, but now that they are in charge, they want to deny the minority a right Democrats repeatedly exercised when they were in power. They are apparently too shortsighted to see that their proposal could be turned back on them in an instant.

When Democrats abolished the filibuster for judicial nominees, Leader MCCONNELL warned Democrats that they would reap the whirlwind, and they did. Much to Democrats' horror, President Trump ended up being the chief beneficiary of the abolition of the filibuster for judicial nominees, appointing a vast number of conservative judges to the Federal bench.

Several Democratic Senators have openly admitted that they had made a mistake by abolishing the judicial filibuster. The junior Senator from Delaware came to the floor in April 2017 and said he regretted changing the rules in 2013. The senior Senator from Minnesota not only said she regretted changing the rules, she went so far as to say in 2018 that she would support bringing back the 60-vote requirement. Yet now Democrats are apparently ready to abolish—abolish—the legislative filibuster. How have they not learned their lesson? Unless Democrats are so arrogant as to think they will never again be in the minority.

Some Democrats have suggested that we need to abolish the filibuster because otherwise the Senate won't get anything done. Well, not quite. Not quite. It is not that the filibuster could prevent us from getting anything done; it is that it could prevent us from getting everything Democrats want done. That is a big difference.

The truth is, Democrats could easily get something done in the Senate if they were willing to actually work with Republicans. And by "work with Republicans," I don't mean inviting Republicans to join their bills while excluding any meaningful Republican input. I don't mean threatening Republicans to support their bills on pain of having the filibuster abolished or substantially altered. No, I mean genuinely inviting Republicans to the table.

Now, it would mean the Democrats wouldn't get everything they want done, and, of course, Republicans certainly wouldn't get everything we want done, but we could get something done. In fact, we could get some pretty meaningful things done. We could negotiate an infrastructure bill. We could pass section 230 reform, like the bipartisan bill I introduced with Senator SCHATZ yesterday. We could pass police reform legislation, expand domestic manufacturing capacity, and protect election integrity. We could do all of that and more if Democrats would engage in genuine bipartisan negotiation.

Is it really too much to ask that Democrats find 10 Republicans to work with on major legislative items? Everyone would like to pass their unedited agenda just like they want it, but that is not how things are supposed to work, at least not in the U.S. Senate, and it is certainly not how it is supposed to work when, like Democrats, you barely have a majority. The Senate and, indeed, our whole system of government were designed to prevent a partisan majority from steamrolling through its unedited, unchecked agenda.

Let's just talk for a minute about the purpose of the Senate. Actually, let me take a step back and talk about the purpose of our whole system of government.

Our Founders established not a pure democracy, where the will of the majority reigns unchecked, but a democratic Republic. It was their intention

to combine majority rule with representation and protection for the minority. Why? Because the Founders knew very well that it wasn't just Kings who could be tyrants. They knew that majorities could be tyrants, too, and that a majority of citizens could easily trample the rights of the minority. So they put safeguards in place throughout our government, checks and balances to keep the government in check and ensure that minority as well as majority rights were protected.

One of those safeguards was the U.S. Senate. Wary of, to quote Federalist 62, "the propensity of all single and numerous assemblies to yield to the impulse of sudden and violent passions," the Founders created the Senate as a check on the House of Representatives. They made the Senate smaller and Senators' terms of office longer, with the intention of creating a more stable, more thoughtful, and more deliberative legislative body to check ill-considered or intemperate legislation and attempts to curtail minority rights.

As time has gone on, the legislative filibuster has become a key tool in preserving the Founders' vision of the Senate. The filibuster does indeed make it harder to get legislation through the Senate, and that is a good thing. That is what the Founders intended. The Senate was not designed to be a rubberstamp for a partisan agenda; it was intended to check partisanship or, as the Founders might put it, faction.

Now, does the filibuster sometimes stop good legislation from getting passed? Of course it does. Last Congress, it stopped us from passing legislation to protect unborn babies who can feel pain from being killed by abortion. The failure of the Senate to pass that bill, I think, is a tragedy, but just as you don't abolish the burden of proof in criminal cases just because some criminal sometimes escapes justice for lack of evidence, you don't permanently remove protections for minority rights because you might be able to force through a good piece of legislation.

In 2005, when some Republicans were suggesting eliminating the filibuster for judicial nominees, then-Senator Joe Biden said:

I say to my friends on the Republican side: You may own the field right now, but you won't own it forever. I pray God when the Democrats take back control, we don't make the kind of naked power grab you are doing.

Fortunately, in 2005, Republicans didn't take that step. And in 2017 and 2018, when President Trump was pushing for Republicans, who were in the majority at the time, to abolish the legislative filibuster so he could push through our agenda and we could push through our agenda, we said no.

For the future of the Senate and our system of government, I pray that Democrats will make the same decision.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOKER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOMINATION OF XAVIER BECERRA

Mr. WYDEN. Mr. President and colleagues, very shortly, the Senate will have the opportunity to confirm Attorney General Becerra to be the next Health and Human Services Secretary, and what this means is, after 4 years of going in reverse on health policy, it will be possible to drive and actually make progress for the American people in addressing their healthcare needs—progress in terms of lowering the cost of healthcare. We spent \$3.8 trillion last year. So we have to lower costs, and we have to do it in a way that enhances quality, and Attorney General Becerra is going to be laser-focused on the key priorities for the days ahead. We all know that at the heart of that agenda is making it possible to end this pandemic.

Now, central to his agenda is going to be the distribution of vaccines because there are a lot of pieces to the challenge of beating the pandemic, but right at the heart of it is distribution of those vaccines and PPE and bringing together all the people at Health and Human Services and in our country to have a coordinated strategy for dealing with the pandemic.

We didn't have that in the past. I remember—and I am sure the Presiding Officer remembers—at one point, we didn't have any idea who was in charge. One day it was going to be the States. The next day it was going to be Jared Kushner. There was just bedlam for weeks and weeks with respect to who would even coordinate this country's strategy against the pandemic. With Xavier Becerra there, that will not be the case.

I just want—because I see colleagues also wanting to speak—to talk about another crucial aspect about having Xavier Becerra at the Department of Health and Human Services. What he is going to have to do is move quickly to reverse some of those flawed policies of the Trump administration, like junk insurance, barely worth the paper it was written on, the mindless restrictions that were placed on coverage. For example, that made it harder for people to get access to Medicaid. And some of what they did just defied common sense, making it tougher for people to enroll in the Affordable Care Act, and having modest efforts in New Jersey and Michigan and elsewhere to do outreach and to tell people about the availability of coverage.

What in the world is healthcare about? It is about getting coverage out to people, not inventing barriers to their getting care.

Finally, I just want to mention some of the exciting things from the recovery

legislation that he will be able to focus on. I am sure my colleague from Michigan is going to be talking about these issues, as well, in the days ahead. But what is going to be done in terms of delivering postpartum care, an area where there has been enormous racial injustice, is going to make a huge difference—a major part of the recovery plan—the home and community-based services, which build on some of the work being done in the community. I remember from my days when I was director of the Gray Panthers, helping seniors and the disabled. And we are so excited about mental health officials and law enforcement officials coming together for what is known as the CA-HOOTS Program from my home State, dealing with the racial tensions on the streets.

So Xavier Becerra has been running this mammoth agency in his State. You know, people say: What is his experience? He was on the Ways and Means Committee for years and years, the committee of jurisdiction as it relates to these issues, and then has been in California taking on monopolies, fighting those who would rip off the healthcare system, sticking up for the Affordable Care Act. So he has had frontline experience on these issues.

He should have been confirmed a long time ago, but now we are on the precipice of finally getting somebody who is going to take us forward in that key Agency in terms of meeting the healthcare needs for our colleagues.

When we have this vote shortly, I urge in the strongest possible way for the Senate to vote to confirm Attorney General Xavier Becerra for this crucial position.

I yield the floor to my colleague.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first, I have to say to my friend and our lead on the Finance Committee how grateful I am for his leadership. We have started out very strongly on the Finance Committee with really important topics. I so appreciated yesterday focusing on nursing homes and what has happened the day before, focusing on advanced manufacturing and jobs, and your efforts today. It is just issue after issue. It is wonderful to have you in this position.

Mr. WYDEN. I thank my colleague.

Ms. STABENOW. And to be your partner in this.

And I so appreciate the leadership of the Senator who is currently in the Chair, from New Jersey, as well.

I rise today, as well, to speak on behalf of an outstanding nominee to lead the U.S. Department of Health and Human Services. If there ever was a time we needed an outstanding leader, it is right now.

One of the things I find so interesting is that colleagues on the other side of the aisle say they wish he was a doctor. Well, the previous Health and Human Services Secretary was the former CEO of a drug company. And so, from my

perspective, I am much more comfortable having somebody who fought drug companies to lower prescription drug prices than to have had the person in that job before be the person who actually raised prices on people in his former position and tried to block competition. So he is the right person. Xavier Becerra is the right person for this moment, I believe.

Our Nation is still fighting to emerge from the worst pandemic in our lifetime. It is hard to believe now that it has been over a year that we have been struggling and families have been struggling with this pandemic. Nearly 540,000 American lives are lost. It is hard for me to even say it and have a concept of what that is right now, the number of people who have lost loved ones and friends and neighbors. Countless more have gotten sick. Many more remain sick months later.

The cost to our economy and way of life has been massive. Millions of workers have lost their jobs. Thousands of businesses have closed, too many of them, permanently.

Families are struggling to pay their rent or mortgage, keep the heat on—which is really important in a place like Michigan in the winter—keep the lights on, put food on the table.

Schools are working hard to reopen safely. And, in the meantime, families are doing the best they can to make sure their children can keep up.

It is true that we are making progress. We are making progress. Things are getting better step by step by step.

Thanks to science, we have three very effective vaccines going into the arms of people across our country, and with the American Rescue Plan being signed into law, in fact, help is here. It is here.

So now is the time that, as we focus on getting help to where it is needed, Attorney General Becerra is just the leader to do this as the head of Health and Human Services.

His experience will be a tremendous asset as he works to address the pandemic and make healthcare more affordable. He led the defense in court of the Affordable Care Act, which he helped to write. It was my pleasure to work with him during that process, to work with him as House Members and then to work with him when we were writing the ACA, both in the Ways and Means Committee, in which he sat in the House, and my sitting on the Finance Committee. He protected the healthcare of millions in his position as attorney general. He has taken on drug companies, as I said before, for their high prices and their role in the opioid epidemic. And he has worked to enforce mental health parity in California, which I think is so, so, so important.

So many people are living with mental illness and addiction right now and have been. In January, 41 percent of American adults said they were struggling with anxiety or depression. So

things have gotten worse—the pressure on people as a result of what everybody has gone through in the last year. That is up from 11 percent before the pandemic, and more than one in four young people have reported having suicidal thoughts. Meanwhile, communities are seeing more people overdose. Long after the pandemic ends, these behavioral health issues will linger.

Attorney General Becerra began his career as a legal aid attorney supporting clients with mental health issues and substance abuse issues. He knows in his heart and soul how important this is. He will bring that same compassion and dedication to HHS as we work to expand access to care, including through certified community behavioral health clinics, on which I am so proud to have partnered with Senator ROY BLUNT and so many of our colleagues across the aisle to move forward as the new structure for comprehensive, coordinated care in the community. And it is beginning to make a difference, but we have a lot more to do, and we need somebody at the head of HHS who gets it. That is why I so strongly support Xavier Becerra, among so many other reasons.

American families deserve to know that they have someone at the Department of Health and Human Services who has their backs. With Attorney General Becerra, they will know they have someone who has their back.

He is the leader we need to help us end this pandemic, to get people the care they need, to strengthen our healthcare system, and to get our country back on track.

So I look forward to voting for this excellent nominee and putting him to work on behalf of the American people. I urge my colleagues to join us in supporting this excellent nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I come to the floor today to oppose the nomination for Secretary of Health and Human Services of Xavier Becerra.

As I stand here today, America is still fighting the worst pandemic in a century. More than half a million Americans, as we have just heard, have died of this coronavirus. Life expectancy in our country has actually dropped by a full year. Now, as a doctor, I will tell you that is a significant drop of life expectancy.

In this time of crisis, our Secretary of Health and Human Services may be the single most important member in the President's Cabinet. There are many well-qualified Democrats, in my opinion, who could serve in this position. For example, I voted to confirm President Obama's last Secretary of Health and Human Services, Sylvia Burwell. She was confirmed by a large bipartisan majority.

That is not the kind of nominee that we have this time. In the middle of a crisis, President Biden has chosen someone who is, in my opinion, both

unqualified and unfit for this specific job.

First, Attorney General Becerra is unqualified. Let me talk about that. As a doctor, I am deeply concerned that President Biden has nominated someone with no medical or public health experience. He is not a doctor, not a scientist, not a public health official. He is a trial lawyer and a career politician. A global pandemic is no time for on-the-job healthcare training. The Secretary must be ready on day one.

Attorney General Becerra is not only unqualified, I say he is radically liberal in his positions. Attorney General Becerra is the most leftwing nominee for this job, in my opinion, in history. He is an aggressive culture warrior from the radical left. He supports Medicare for All, which would ban private health insurance, and 180 million people who get their health insurance through their jobs would lose it. If his positions go forward and he has his way, American workers would lose that opportunity and that benefit of their jobs.

He has made a name for himself in the Democratic Party for his extreme positions on abortion. During his 24 years in Congress, Attorney General Becerra voted against every restriction on abortion. During his confirmation hearing, Senator DAINES even asked him to name a single restriction he would support. He couldn't name a single one. This record has earned him a "100 percent" rating from Planned Parenthood.

As a Congressman, Mr. Becerra even voted against the ban on partial-birth abortion. The Supreme Court, rightly, upheld banning partial-birth abortions in the United States.

This wasn't the only time the attorney general's positions were at odds with that of the current Supreme Court as he was attorney general in California.

During his confirmation hearing, Mr. Becerra claimed he never sued any nuns. That is his quote: "never sued any nuns." He also said he only sued because of California law. Well, both of these statements stretch the truth, to put it mildly.

In 2017, the Trump administration gave a group of nuns an exception from being required to pay for birth control. The nuns say that violates their religious beliefs, having to pay for birth control. Attorney General Becerra then sued the Trump administration to stop them from giving this exemption. Attorney General of California Becerra, the nominee to be Secretary of Health and Human Services, lost at the Supreme Court by a vote of 7 to 2.

One of the jobs of the Secretary of Health and Human Services is to protect the conscience rights of doctors and nurses. Mr. Becerra's record shows he can't be trusted to do that.

There is a well-known case involving Crisis Pregnancy Centers. Now, these are groups that help women facing an unplanned pregnancy. California said

they had to advertise where these women could go to get abortions. Attorney General Becerra brought the full power of the State of California against the pro-life groups. Once again, the Supreme Court of the United States stepped in to stop him.

Mr. Becerra also used the power of his office to criminally prosecute pro-life journalists. A pro-life activist went undercover to investigate Planned Parenthood for trafficking in aborted body parts. His revelations caused outrage across the country. Attorney General Becerra charged him, the undercover reporter, with 15 felony counts.

This was too much even for Attorney General Becerra's liberal hometown newspaper. The Los Angeles Times said:

It's disturbingly aggressive for Becerra to apply this criminal statute to people who were trying to influence a contested issue of public policy, regardless of how sound or popular that policy may be.

So Attorney General Becerra is a radical liberal on a whole host of issues. As attorney general of California, he sued the Trump administration over 120 different times. That is quite a few. This includes filing nine lawsuits on the very last day of President Trump's administration—the very last day, nine more lawsuits added to the pile.

He sued to try to stop President Trump from building the wall on the southern border. He sued the Trump administration to try to stop fracking on Federal lands in California. This is just the tip of the iceberg. The list goes on and on. When you look at the record, it is clear: Xavier Becerra is out of touch with the views of the American people.

President Biden has chosen an extremely liberal Cabinet. He was forced to withdraw his nominee for Budget Director. His Vice President has been the least bipartisan, in terms of a Senator of record, of any Senator in 2019. And now Attorney General Becerra seems to be the most liberal of them all.

Frankly, his selection, I think, shocked a lot of people across the country. During this pandemic, we need a leader for the Department of Health and Human Services who brings us together as a nation. Instead, the President has chosen a nominee with no public health experience and an extremely partisan record, so I urge my colleagues to reject this unqualified, incredibly liberal nominee.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, President Biden has a lot of duties and obligations and a lot on his plate right now. The important thing that we are involved in, that we are all concerned about, are the nominees, who they are, what the process is, and what leverage do we in the minority have to impact that.

I think that Xavier Becerra is not fit to be our Secretary of Health and

Human Services, and I say this because of his appalling track record disrespecting the sanctity of life, blatantly attacking First Amendment rights, and his extreme policy views.

Now, throughout his career, Mr. Becerra has proven he has no shame when it comes to his pro-abortion beliefs. As attorney general of California, Becerra led a yearslong lawsuit targeting the Little Sisters of the Poor. This order of Catholic nuns is devoted to caring for the elderly poor. All they want is to be free to operate in accordance with their religious beliefs, and I think we can all understand that. But Becerra sued the Federal Government to force the nuns—and we are talking about the Little Sisters of the Poor—to provide access to birth control and abortion-inducing drugs, completely disrespecting their religious beliefs.

During his confirmation hearings, multiple Senators asked Mr. Becerra about his lawsuit, and he said:

I've never sued any affiliation of nuns. [M]y actions have always been directed at the Federal agencies.

But I think it is pretty misleading because he may have sued the Federal Government, but his actions certainly were directed at the nuns.

And that is not his only assault on life. Mr. Becerra also fought against the Trump administration's title X rule in court. We all remember this. This is where he ensured that Federal tax dollars would only go toward family planning clinics that don't offer abortions.

And, during the pandemic, Becerra has been an aggressive advocate of expanding access to chemical abortions, thereby providing abortions by mail that are done at home and without the supervision of a medical provider. And all abortions, in my view—and I know a lot of people don't agree with this, but I think all abortions are bad. But increasing unsupervised access to chemical abortions, which are four times more likely to cause problems and complications for the mother than surgical abortions, shows that Mr. Becerra's concern isn't about health; it is about his pro-abortion agenda.

We shouldn't be surprised. During his time in Congress, Mr. Becerra voted against multiple pro-life bills, including the partial-birth abortion ban, and that was one that was sponsored on both sides. It was a bipartisan bill. It banned the horrific procedure in which a baby is partially delivered and then painfully destroyed.

But Becerra isn't just radical in his support for abortion. He also goes after the First Amendment rights of individuals who disagree with him. I am sure everyone here remembers the shocking, heart-wrenching evidence collected by two undercover journalists in 2015 that showed Planned Parenthood's involvement in selling the body parts of aborted babies. Becerra has chosen to prosecute the journalists rather than take the action to protect babies and investigate the evidence of this behavior.

Becerra also targeted the California pro-life pregnancy centers by forcing them to advertise abortions, in violation of their First Amendment rights. Now, he fought them all the way to the U.S. Supreme Court, and he lost.

But he didn't give up. Last fall, he supported California's ban on indoor worship services, also in violation of the First Amendment, and he lost again in the Supreme Court. He doesn't give up. Justice Gorsuch said—and this is a quote from Justice Gorsuch. He said:

If Hollywood may host a studio audience or film a singing competition while not a single soul may enter California's churches, synagogues, and mosques, something has gone seriously awry.

I agree with Justice Gorsuch in that observation.

Becerra also wants to decriminalize illegal immigration, saying:

They are not criminals. They haven't committed a crime against someone.

Should he be confirmed to be the HHS Secretary, he would be positioned to give illegal immigrants access to his programs.

So, lastly, I just want to send a message to the pro-life movement, to people in Oklahoma and Americans all around the country who really believe in the sanctity of life. We are not going to give up in trying to block this nomination, and we will do everything we can to stop the confirmation of Xavier Becerra.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FILIBUSTER

Mr. DURBIN. Mr. President, earlier today, my friend from South Dakota, the Republican Senator JOHN THUNE, came to the floor and discussed the filibuster. It has been a topic of discussion not only this week but even before. I hope that Senator THUNE will concede that whether you are for the filibuster or against the filibuster, we should certainly be dedicated to the proposition that the U.S. Senate should be a deliberative body that actually considers amendments and legislation on the floor.

Now, what I just said sounds very routine and normal. It is radical when you look at the record of the U.S. Senate. Last year, under the Republican leadership of Senator McCONNELL, we had 29 amendments on the floor the entire year—29. That was really an improvement over the previous year, 30 percent better than the previous year—22 amendments. What that says to those who may not be familiar with Senate procedure is that the floor is empty and no one is here because we aren't taking up legislation. Why?



So far this year, we have done three things in the Senate: the impeachment trial; the reconciliation bill, the American Rescue Plan by President Biden; and nominations. What do those three things have in common? None of them, not one of them can be stopped by a filibuster. Why aren't we taking up other legislation? Because looming over us is a supermajority requirement of 60 votes to get anything done.

What I have said to my friends on the Republican side of the aisle is, show me that we can make the Senate function. If we can show that with the filibuster, so be it. If we can show it by changing the filibuster, so be it. But let's do something.

We were elected to do things. We were elected to pass an infrastructure bill for America. It has been years since we have done that. We were elected to deal with issues that are fundamental to this country. What about all the student loan debt in this country? Are we going to do anything about it, say anything about it? Nothing is coming to the floor, is it? There are so many issues that we should be taking up that we are not taking up because of the looming specter of the filibuster. That is a reality.

Let me bring that reality close to home. Twenty years ago, I introduced the DREAM Act. I said if you were brought to America as an infant, toddler, child, young person—your family brought you here, you grew up here, you went to school here, and you pledged allegiance to that flag in your classroom every single day—at some point in your life, you ought to have the opportunity to earn your way to be a legal person in America, a citizen in America. I don't think that is a radical idea. In fact, the overwhelming majority of Americans support the idea.

So, DURBIN, let me ask you a question. It has been 20 years. You are supposed to be a legislator. Why haven't you passed this, something that simple and that direct? I haven't made it a law of the land because of one thing: the filibuster. The filibuster. Five times I have brought this measure to the floor of the U.S. Senate and have been stopped by the filibuster; a majority vote every time but never the magic 60, the magic supermajority.

So do I have a problem with the filibuster? Yes, I do. I challenge those who are defending it to show me it can work, to show me we can create bipartisan votes on the floor, actually debate on the floor, amendments on the floor, legislation on the floor. That is not too much to ask. I think that is why we were elected.

I come today to address this issue because the House is expected to vote on the Dream and Promise Act and Farm Workforce Modernization Act. If the Senate is able to join the House in passing these bills, we would be able to make significant immigration legislation progress.

But I want to add that I support comprehensive immigration reform. I be-

lieve it is the only honest answer to what we face in America today. I will do my best to do everything I can. There is no excuse for inaction. This broken immigration system needs to be addressed on a bipartisan basis, and an answer is long overdue for Dreamers in this country. I have told you who they are.

When President Obama created DACA for them, some 800,000 came forward, registered with the government, and received legal status to work and freedom from fear of deportation because of DACA.

President Trump eliminated the program. The battle ensued in court. The Supreme Court said that Trump did it wrong, and we are now in the middle ground.

President Biden supports DACA. He has made it clear that it is open for new people to apply. Yet we don't have the final law.

We are dealing with Executive orders when it comes to this important issue. That is why I have decided to come to this floor and to continue to raise the issues of the people who are involved and to introduce my 129th Dreamer story on the floor of the U.S. Senate, which I have done for years.

Diana Andino. She was born in Ecuador. She came to the United States when she was 11 years old. She grew up in Houston, TX. She was quite a student. She graduated in the top 10 percent of her high school class and went on to earn a bachelor's degree with honors from the University of Houston, in biology with a minor in chemistry.

She wrote me a letter, and here is what she said about her dream of becoming a physician:

I found my calling in medicine after volunteering at a local county hospital while I was in college.

Here is what she said about the difference that DACA made in her life:

I graduated from college in 2011, and my dream of becoming a physician was truncated by my lack of citizenship status. However, DACA came in place a year later. I was able to apply to school and was accepted at the Loyola University Stritch School of Medicine in Chicago.

Let me just say, hats off to Loyola and their medical school. They have led the Nation in accepting wonderful students just like Diana. They were the first in the Nation to accept DACA applicants. More than 30 have since attended their medical school, and many of them are practicing in underserved areas.

Diana graduated from Loyola Medical School and now is a third-year resident at Loyola University Medical Center. She treats COVID-19 patients with serious complications, such as stroke or major bleeding.

Here is what she said about the COVID-19 pandemic:

It's been a challenging year not only physically but mentally. Patients with COVID-19 developed multiple neurological complications that we have encountered and continue to learn about. As a neurology resident, I've learned to be flexible as there are so many unknowns we encountered almost daily.

How many times have we said in the last year: Thank God for people just like this woman, who risks her life as a doctor for COVID-19 patients. Our brothers and sisters, our family members, people whom we love are kept alive because Diana is skilled enough and brave enough to go into their rooms and try to save their lives.

We think so much of Diana that we have to debate in the Senate whether she should be a citizen of the United States. There is no debate, as far as I am concerned. She is exactly the kind of person we need in America's future. Send her back to Ecuador? No. Let her stay in her home country of America.

Make the Dream Act a reality. Make it the law of the land. Don't let a filibuster stop it again. When we receive the Dream and Promise Act from the House of Representatives, we will have an opportunity to see if 10 Republican Senators can join us in an effort to finally pass it—I hope more.

As I said at the outset, I support comprehensive immigration reform. I want to try to sit down and have a conversation about the farm labor bill, about those who are here in temporary protected status, about essential workers like Diana who ought to be given a chance to become citizens in this country. That is what the debate is all about.

This empty floor, with no conversation among Senators, is testimony to the fact that this is an aspiration—an aspiration that we can overcome the filibuster, pass the Dream Act and more and do it soon. Lives depend on it. Futures depend on it. The dreams of America are at stake.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SASSE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nebraska.

Mr. SASSE. I ask unanimous consent for the RECORD to note that the junior Senator from New Jersey is very dramatic in the Chair.

The PRESIDING OFFICER. Absolutely, without objection.

Actually, I note one objection from the junior Senator from New Jersey.

Mr. SASSE. I ask unanimous consent to begin the vote now.

The PRESIDING OFFICER. I am sorry I might have seen an objection from the Senator.

No, there is no objection.

Without objection, it is so ordered.

VOTE ON BECERRA NOMINATION

Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Becerra nomination?

Mr. SASSE. I ask for the yeas and nays.



Senator SCHATZ and I add up to 22.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO) is necessarily absent.

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 125 Ex.]

#### YEAS—50

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Peters	

#### NAYS—49

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rounds
Boozman	Hoeben	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	
Graham	Portman	

#### NOT VOTING—1

Hirono

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). Under previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant legislative clerk read the nomination of Martin Joseph Walsh, of Massachusetts, to be Secretary of Labor.

The PRESIDING OFFICER. The senior Senator from Oregon.

#### UNANIMOUS CONSENT REQUEST—S. 823

Mr. WYDEN. Mr. President, I rise in support of legislation developed by our colleague, Senator BROWN, and me to protect \$1.400 relief payments from being garnished by predatory private debt collectors.

We know that millions of American families are hanging on by a thread. They are counting on these payments to make rent and pay for groceries and medicines.

Now Senator BROWN and I want to include these protections in the Amer-

ican Rescue Plan. We wanted to include them, just like we had done in the December relief bill, but the problem was that Senate rules didn't allow Senator BROWN and me to include these protections in the American Rescue Plan, just like we had done earlier.

If the Senate doesn't pass this bill, predatory debt collectors will continue to seize relief payments for everything from credit cards to medical debt.

And as we talk about this right now, I would like to give an example of what this really means. If you have two parents who have lost their jobs, through no fault of their own, and they can't pay the rent because their relief check has been seized to cover a child's outstanding hospital bills—that is what is going to happen if you don't pass the legislation Senator BROWN and I are advocating.

So I think this one is cut and dry. The Senate will either stand today for the working families who desperately need this help, like that couple who are hurting, through no fault of their own, or the Senate is with private debt collectors reaching their hands into those families' pockets.

Now, these protections that we are talking about were included in the December package, with Republicans fully supporting it. Families' financial situations haven't changed so I hope that Republicans will allow for the passage of this measure offered by Senator BROWN and me. It is just common sense.

And I am going to yield now—the minority is aware—to Senator BROWN. He, too, will have short remarks, and then we will engage with our colleague on the other side.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank the senior Senator from Oregon, and I thank the Senator from Pennsylvania too.

We passed the American Rescue Plan, as Senator WYDEN said, to get shots in people's arms, money in people's pockets, get kids back in schools, and people back in jobs. Stimulus checks are already going out the door in Hawaii, in Pennsylvania, in Oregon, and Ohio. More than 100 million checks are already in Americans' bank accounts. We promised in campaigns, we promised in January we would do this and we would do this quickly.

Five million Ohioans are going to get a check. We know predatory debt collectors are already lining up to try to take a cut of those checks. We know it costs more to be poor in this country. So often the debt collectors come after you. Just to cash your check, there often is a fee and all the bank fees that they have.

We passed the rescue plan to put money in people's pockets so they can pay bills and buy groceries and spend money in local businesses. They can buy a washer perhaps made by American workers in Clyde, OH, or new tires

for their cars made at Goodyear in Akron, OH. Maybe they are looking forward to throwing a small high school graduation party in their backyard—after they get their vaccines—with a cake and a barbecue from a local restaurant.

That is why we passed these checks, to support families, to support local economies, not to line the pockets of predatory private debt collectors. That is why I appreciate Senator WYDEN's work with us on this bill to protect Americans' stimulus checks from financial predators.

We know how aggressive private debt collectors are. They harass people. They prey on workers trying to make ends meet, and now they want to take this money before it even reaches Americans' bank accounts.

Last year, as Senator WYDEN said, we joined colleagues GRASSLEY, a Republican from Iowa, and SCOTT, a Republican from South Carolina, to pass bipartisan legislation to protect people's money.

It shouldn't be different this time. We are still in a public health crisis. Whether you voted for or against this American Recovery Act is immaterial. We have a choice. Whose side are you on? Are you going to protect workers and their families or are you going to side with debt collectors?

I yield my time back to Senator WYDEN.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 823 introduced earlier today. The bill would provide for protection of recovery rebates. I further ask that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there an objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, my friend, the Senator from Oregon, suggested that the Senate rules precluded this provision from being addressed in the recently passed bill.

It is actually a little bit more complicated than that. So let's remember how we got here.

Last year, Republicans and Democrats worked together, and we passed five bills, adding up to about \$4 trillion, authorizing another several trillion dollars of loans. It was an extraordinary reaction to an extraordinary moment, and Republicans and Democrats came together time and time again.

As the circumstances were changing, we passed new legislation to reflect that—passing a big bill, a trillion-dollar bill nearly, in December. But as soon as our Democratic colleagues had the ability, they decided they weren't interested in any bipartisan legislation

anymore. It was going to be strictly Democrats using the reconciliation process, and that is the only reason that this provision couldn't be addressed because it can't be dealt with under the reconciliation rules.

So now our Democratic colleagues perceive a problem with this legislation, and they would like the Republicans' consent to fix what might have been resolved with some kind of compromise had they pursued the path that we pursued when we were in control.

But let's talk about where we are and what we have done for individuals and families. The unprecedented financial support from the Federal Government has been really amazing. An average family of four has, by now, received stimulus checks of \$9,200 and child tax credit checks of \$6,000. That is \$15,200. By the way, that has gone to people who never lost a penny of income. And if they did lose their job, as in the hypothetical that the Senator from Oregon suggests, then the unemployment benefits, in more than half the cases, paid them more than they made working because of the legislation that we passed. We designed it so they would pay people more not to work than they would make working, in addition to these stimulus checks that they got.

So the result of that is, in the aggregate, personal savings have gone through the roof. It is up by over \$1.6 trillion. Total consumer credit is down. The fact is, we more than replaced lost income through the series of bills that were passed.

Now my colleagues want to come here and block a valid, legal claim from being honored with some of this money. And specifically, they want to block these stimulus checks from being subject to garnishment.

So what is a garnishment? That is just when money is withheld from someone because they owe something. They owe money that they haven't paid to someone else, and that someone else has gone to court, made the case, and it has been adjudicated that, yes, this is money that is owed.

So they want to forbid this windfall—which in many, many cases this is a windfall, let's be honest. They want to prevent it from being available to be used for the conventional way that we collect money that is owed. And whom might this affect?

Under this legislation, if it were to pass, it would forbid garnishment of the alimony payment that a needy former spouse relies on. That is a common expense for which garnishment applies. But in this case, the deadbeat former husband who is not paying his alimony payments, who forced his former wife to go to court to get a court order, he has been so far behind, now he gets this big check from the government, and she doesn't even get to catch up on the money that he owes her?

How about the deadbeat dad who is not paying his child support? That is another situation in which the mom,

trying to struggle to support those kids, had to go to court and get a court order that his future income would be garnished because he just doesn't pay. Well, he gets this check in the mail, compliments of the taxpayer, and he doesn't have to give her any of that? That is so terribly unfair.

And, you know, in addition to all these direct payments, we have also provided massive financial support in all kinds of ways to alleviate expenses like nutrition assistance, \$80 billion; housing assistance, \$65 billion; increase of Medicaid, \$170 billion; not to mention almost \$1 trillion in payroll support so that people could continue to work.

When you pay for all of these things and you still give people money on top of that, I don't think it is unreasonable to ask people to pay their bills, especially their overdue bills to their former wife or to support their kids.

Here is the other thing. At best, this is now a political statement because, as one of many colleagues just alluded to, these payments have already gone out the door—most of them have. The Treasury has already issued probably over \$250 billion in stimulus checks. And to the extent that a person was subject to garnishment, the garnishment happens automatically. So it has already happened.

So what does that mean if this bill passed? The legal chaos—I mean, first of all, it would actually allow the deadbeat dad I am referring to, to go back and claim that money back, to claw it back from the account that is meant to support his kids. How is that even possibly fair or reasonable?

This is a bad idea, and for these reasons, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. WYDEN. Mr. President, just briefly. I think the key kind of question—and the checks are still going out, and we want them to get out as quickly as possible, but the key issue here is the Republicans, back in December, wanted to help that couple that I was talking about, the person laid off, through no fault of their own. They wanted to help those folks to make sure their relief check wouldn't be seized to cover a child's outstanding hospital bills.

So what we heard are discussions about all kinds of, you know, other issues, but the fact is, in December, just a few weeks ago—just a few weeks ago—Republicans were supportive of the families Senator BROWN and I are seeking to help today. That is what the question is all about. Will the Senate today help the folks who are hurting that Senator BROWN and I have been talking about?

In December, Republicans said: You bet we are going to be there. Now it is a question, really, of whom the Senate is for. Senator BROWN and I are for those folks who are hurting, and they have been laid off through no fault of their own, and Republicans, unfortu-

nately, with checks still going out—still going out—have decided they are for the private debt collectors.

I think it really shows whose side you are on, and Senator BROWN and I and members of our caucus are on the side of the people who are hurting, through no fault of their own, and we especially care about them at this time when checks are still going out.

I yield the floor.

Mr. BROWN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

#### NOMINATION OF MARTIN JOSEPH WALSH

Mrs. MURRAY. Mr. President, I come to the floor today to support the nomination of Mayor Marty Walsh to serve as Secretary of Labor.

Across the country, working families are really desperate for help. Even before this pandemic, the deck was stacked against workers and especially against women, workers of color, and workers with disabilities, thanks to an unlivable Federal minimum wage and subminimum wage for tipped workers and workers with disabilities that do leave millions of workers struggling to make ends meet; a pay gap that makes getting by even harder for women, in particular, women of color; a lack of a national paid family, sick, and medical leave policy and quality, affordable childcare for working families; a failure to protect workers from pandemics and workplace accidents and harassment and discrimination and more; and a wave of job loss and economic uncertainty that is upending the lives of workers and retirees across our country.

This pandemic has laid bare the painful fact that while our economy might work for the biggest corporations and wealthiest individuals, it isn't working for working families. And all of these challenges—unsafe workplaces, lost jobs, low wages—are even worse for people of color due to longstanding inequities that are rooted in systemic racism and are widening due to this pandemic.

Our country cannot fully recover from this crisis unless we begin to change that by rebuilding a stronger, fairer economy. And that starts by making sure we have a Secretary of Labor who will actually champion workers and working families.

As a union leader, a State representative, and as a mayor, Mayor Marty Walsh has done just that. He has a clear track record as a collaborative leader who worked across coalitions with labor groups and the business community to build up Boston's middle class. Under his leadership, 135,000 new jobs have been created in Boston.

He fought for a \$15 minimum wage and paid leave policies to help ensure women, workers of color, and workers with disabilities can succeed in the workforce and get the pay they deserve.

During this pandemic, Mayor Walsh has continued to show a deep commitment to his frontline workers who have kept this country running by providing funding for emergency childcare and other resources his essential workers needed to weather the pandemic.

And he would bring an important perspective as the first union leader to head the Department in decades.

His unwavering commitment to put workers first was plain to see during our confirmation hearing. In his testimony Mayor Walsh spoke powerfully about the importance of protecting frontline workers who do so much to keep our communities and our country running and rooting out the inequities that have done so much damage to communities of color. Mayor Walsh made clear he will work with Congress to help ensure every worker has a fair, livable wage; a safe workplace; paid family, sick, and medical leave; access to quality, affordable childcare; a secure retirement; and the right to join a union and collectively organize.

I was impressed by his answers during our hearing, and I wasn't the only one. Mayor Walsh's nomination passed out of our HELP Committee with strong bipartisan support in an 18-to-4 vote, and I hope he will now be confirmed with similar, overwhelming, bipartisan support because even before this pandemic and even before President Trump's 4-year crusade against workers, we had a long road ahead to build a truly fair, inclusive economy that works for working families. But, now, not only is the road longer, the clock is ticking.

Workers who are the backbone of our economy have been pushed to the brink. They need us to confirm Mayor Marty Walsh so we have a Secretary of Labor who will take quick action to address the urgent challenges we face and be a valuable partner in helping our economy come back stronger and fairer for all workers.

While we made important progress in the American Rescue Plan to extend unemployment benefits and provide much needed tax relief for those benefits, provide direct payments for families, and protect the pensions millions of workers and retirees depend on and while President Biden is taking important steps to reverse Trump-era rules that undermined workers' rights, this road to recovery is long, and there are still many steps we need to take, including raising the Federal minimum wage to one fair wage of \$15 an hour, passing the PRO Act into law to strengthen workers' right to join a union, and passing the BE HEARD in the Workplace Act to protect people from harassment, assault, and discrimination.

We have a lot to do and no time to waste. I urge all of my colleagues to

prove to families back home they understand we need a Secretary of Labor we can trust to stand up for workers and not huge corporations. I urge my colleagues to join me in voting to confirm Mayor Walsh.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 842

Mr. CRUZ. Mr. President, in a moment, I am going to propound a unanimous consent request, but before I do so, I want to make some brief remarks.

As my colleagues know and as several fact checkers have confirmed over the past week, the Democrats' partisan reconciliation bill that became law last week will provide many illegal aliens with \$1,400 rebate checks paid for by the American taxpayer. By several estimates, millions of illegal immigrants will get these rebates.

I offered an amendment 2 weeks ago to the Democrats' bill to close this loophole. During debate on my amendment, one Democratic Senator spoke against my amendment, saying that no illegal aliens have Social Security numbers, and therefore the premise of my amendment and my speech was, he said, "not true." In fact, here are the Senator's full remarks from the floor 2 weeks ago:

Mr. President, the statement from the Senator from Texas is just plain false. Let me be clear. Undocumented immigrants do not have Social Security numbers, and they do not qualify for stimulus relief checks, period.

And just in case you didn't notice, they didn't qualify in December when 92 of us voted for that measure, and they don't qualify under the American Rescue Plan. Nothing has changed.

And for you to stand up there and say the opposite is just to rile people up over something that is not true.

It is not true, and we know what is going on [here]. They want to be able to give speeches and say the checks go to undocumented people. In the circumstance where there is a parent receiving—

At that point, the Senator's time expired.

Following that debate, the Senator in question took to Twitter to double down. So it was not, after an all-night of no sleep, a moment of erroneous comment, but, rather, on Twitter that same Senator tweeted:

Sen. Cruz's claim is only meant to rile people up over something that's not true. You cannot receive a stimulus check without a Social Security #. That's a fact. Instead of discriminating against mixed-status families, let's prioritize getting more relief to those families.

A second tweet from the same Senator:

We simply cannot stand by and allow outright falsehoods to be propagated on the Sen-

ate floor. It's time for GOP Senators like TED CRUZ to stop trying to rile people up over misinformation.

Well, as John Adams famously said, facts are stubborn things, and it turns out the comments from the Democratic Senator were categorically false and my comments that this bill would send checks to millions of illegal aliens were categorically true.

Numerous fact checkers began looking at the claims. Newsweek initially fact-checked it, and, as is the wont with a fair number of media fact checkers, took the word of the Democrats for it, concluded my statement was mostly false.

Following that, my staff got on the phone with Newsweek and presented them with incontrovertible facts—incontrovertible facts that of the roughly 12 million estimated illegal aliens who are here, roughly 60 percent of them are visa overstays, people who came legally and then overstayed their visa, and a significant percentage of visa overstays have Social Security numbers and will receive checks.

Indeed, that is why my amendment was scored at saving the Federal Government over \$600 million, because of the checks that would not go to illegal immigrants if my amendment had been passed.

When Newsweek heard these facts, they did something really quite impressive, admirable. They admitted they were wrong. They revised their fact check, and they changed their fact check from mostly false to true. True, period. No caveats. True. I want to commend Newsweek for demonstrating journalistic integrity. Correcting that fact-check, I am sure, was not an easy decision for them to make, but it was the right decision for them to make.

So, Mr. President, I would ask unanimous consent that we enter this fact-check into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Newsweek, Mar. 8, 2021]

FACT CHECK: WILL MILLIONS OF ILLEGAL IMMIGRANTS GET STIMULUS CHECKS, AS TED CRUZ SAYS?

(By Graham McNally)

Senator Ted Cruz (R-Texas) proposed an amendment to the American Rescue Plan that would bar illegal immigrants from access to the \$1,400 stimulus checks.

His amendment was voted down after Senator Dick Durbin (D-Ill.) criticized Cruz for trying to "rile people up over something that is not true."

#### THE CLAIM

Cruz claimed on Twitter that illegal immigrants would be eligible for the \$1,400 stimulus checks included in the American Rescue Plan.

On March 6, Cruz tweeted, "When the checks go out, millions of illegal immigrants WILL GET \$1400 checks."

He wrote that many people considered illegal immigrants are those who have overstayed their visas, and therefore have Social Security numbers.

Cruz argued that the possession of Social Security numbers will allow unlawfully present individuals to obtain the stimulus money.

## THE FACTS

Anyone who pays taxes in the United States as a resident is eligible for a stimulus payment under the American Rescue Plan. That includes non-citizens.

For example, a citizen of Canada who is living and working full time in the U.S. would have a Social Security number and would be eligible for a stimulus payment.

The United States Department of Homeland Security website describes unauthorized immigrants as foreign-born non-citizens who live in the United States without legal residence. Individuals who overstay their visas but pay tax in the United States using a Social Security number can be eligible for stimulus payments. The most recent available data for the number of visa overstays in the United States is from 2019, released by the Department of Homeland Security. It said that 1.21 percent of visas in that year were overstayed, or 676,422 overstays. In 2019, student visas (1.52 percent) had a higher overstay rate than those from Canada and Mexico (.75 percent, 1.27 percent, respectively).

Illegal immigrants would not be eligible to receive a check if they do not have a Social Security number.

Immigrants who overstay their visas no longer are lawfully in the country but retain their Social Security numbers and therefore are eligible to receive a check.

"Technically, if they have overstayed their visa, they are here illegally," a spokeswoman for U.S. Customs and Border Protection told Newsweek. "If a visitor has not been granted an extension of status by USCIS [United States Citizenship and Immigration Services], then they are considered to be overstays and subject to deportable status under 237 of the Immigration and Nationality Act."

People who qualify as legal residents include those who have passed the green card test (permanent legal residents) or those who pass the substantial presence test. That test requires taxpayers to be physically present in the United States for 31 days of the current year and 183 days for the past three years.

Anyone who has a green card is considered a legal permanent resident, and would be eligible for the stimulus payment.

## THE RULING

True.

Cruz's claim that millions of illegal immigrants would receive stimulus payments is true, given the amount of people who have overstayed their visas over the years. Once they overstay, they technically are considered "illegal."

Correction, March 9, 4:00 pm EST: The ruling on this story has been corrected to true. A statement from Customs and Border Patrol has been added.

Mr. CRUZ. Mr. President, it is clear and indisputable that a significant number of illegal immigrants will receive checks and are receiving checks right now. All 100 Members of this body were misinformed by the Democratic Senator that no illegal aliens would receive fact checks—would receive, rather, stimulus checks. So I want to give my colleagues a chance to adopt the amendment now, with the correct information, with the true information, with the factual information.

I would note as well, in these deeply partisan times, it is easy for Republicans to throw insults at Democrats; it is easy for Democrats to throw insults at Republicans. Far too much of that occurs.

The Senator from Illinois, who is a friend whom I served with for 9 years, is a talented Senator. I am not here suggesting that when he stood up and spoke on the Senate floor and said things that were absolutely false, that he did so knowingly and maliciously. I would certainly give the Senator from Illinois the benefit of the doubt that he was in error rather than deliberately misstating facts, but the facts are now clear.

We have a rule in this body, rule XIX, to reprimand any Senator who imputes the character or integrity of another Senator. I am not going to seek refuge in that rule, although I think there is an argument that I could. But I will say this, that once the facts have been made clear, I hope my friend from Illinois will show the same principle Newsweek showed—to apologize, to say he was wrong and he is sorry for calling me a liar on the Senate floor and then going to Twitter to do so twice. That would be the right thing to do, to acknowledge an error when it occurred. The Senator from Illinois' statement that no illegal immigrants will receive checks under this bill is categorically false.

For that reason, as if in legislative session, I ask unanimous consent that the Senate proceed to immediate consideration of S. 842, introduced earlier today. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, the exchange which took place between myself and the junior Senator from Texas has been analyzed from many different directions. The conclusion of CNN based on what he said on the floor and I responded to is as follows:

Cruz said "every illegal alien in America" would get a \$1,400 check. Durbin responded that Cruz's statement is "just plain false" because, he said, "Undocumented immigrants do not have Social Security numbers, and they do not qualify for stimulus relief checks, period."

According to CNN:

They were both wrong. Cruz was inaccurate when he said "every" undocumented immigrant will get a \$1,400 relief check.

Then they go on to say there are people, a discrete class of people, who might have a Social Security number, be undocumented, and receive a check. And because of the clarification and my own investigation afterwards, I will concede their point. I overstated my case.

Here is what it boils down to. In this situation, people have applied for a work visa—not a tourist visa, a work visa to come to the United States. Because of that work visa, they also received a Social Security number. Then

they overstayed their visas and still could continue—could possibly continue—to be on the rolls with their Social Security number and receive a check.

I might quickly add, this was a provision that was included in both of the relief bills for COVID-19 signed into law by President Trump, one of which the Senator from Texas voted for, one of which he did not.

So I would ask, how many people are we talking about? Ten? A hundred? A thousand? Ten thousand? I can't find out. They can't give me the number because there isn't a calculation.

So here is the situation. You had to apply for a work visa, be granted the work visa and come to the United States, get a Social Security number, overstay your visa, and then continue to file income tax returns because that is the only way you could qualify for help through these relief packages.

I don't know if that group is ten or a hundred or a thousand, but I have carefully read the provisions that are offered by the Senator from Texas today, and I will tell you he basically says to the American Government, when it comes to cash payments: Stop the presses. Stop the presses. I want to know who these people are, and I don't want you to send them a check.

I don't believe that is reasonable. We have sent out 90 million checks. To stop this while we go through this debate is, I think, unfair.

I don't want these checks to go to people who do not qualify for them any more than he does, but I am not going to stop the issuance of checks to people living in Texas or Illinois in the meantime. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CRUZ. Mr. President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. I would note several things. No. 1, the Senator from Illinois said he didn't know if the number of illegal immigrants getting checks from the Democrats' stimulus bill was in the tens or the hundreds or the thousands. With all due respect, he does know that. It is not in the tens. It is not in the hundreds. It is not in the thousands. JCT, the Joint Committee on Taxation, which is a nonpartisan organization that reports to this Senate and this Congress, scored my amendment as roughly 482,000 illegal immigrants are getting checks under the Democrats' proposal. Two outside organizations have scored it as millions of illegal immigrants.

I would note what Newsweek said, when they corrected their fact-check, and I am going to read a quote:

The Ruling. True. Cruz's claim that millions of illegal immigrants would receive stimulus payments is true, given the amount of people who have overstayed their visas over the years. Once they overstay, they technically are considered "illegal."

Nowhere in the Senator from Illinois' remarks was a word of apology for

falsely calling me a liar on the floor of this Senate and on Twitter. That is unfortunate.

What the Senator said right now is also incorrect. The Senator from Illinois said this amendment would halt the payments that are going out. This amendment doesn't do anything of the sort. This amendment restricts sending payments to people who are here illegally. When the Senator from Illinois said he would love to do that, with all due respect, that doesn't withstand even the slightest bit of scrutiny because if he would love to do that, all he had to do was not object, and the American citizens, the people who are here legally, would all get their \$1,400 checks, would get them on the exact same timeframe, but those here illegally would not.

Today's Democratic Party supports sending checks to millions of illegal immigrants. They have justified it, as the Senator from Illinois did, by falsely claiming none of them are getting checks. Those are not the facts, as the Newsweek fact-check makes clear.

I would note that a bill that Democratic Senators are trying to push, denominated H.R. 1, what many are calling the corrupt politicians act, would compound that by allowing millions of illegal immigrants to be registered to vote and, no doubt, to cast votes.

This is a political decision that is far outside the mainstream. It is unfortunate, but sadly it reflects where today's Democratic Party is.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 17, Martin Joseph Walsh, of Massachusetts, to be Secretary of Labor.

Charles E. Schumer, Patty Murray, Richard Blumenthal, Christopher A. Coons, Sheldon Whitehouse, Jeff Merkley, Brian Schatz, Amy Klobuchar, Benjamin L. Cardin, Cory A. Booker, Edward J. Markey, Angus S. King, Jr., Robert P. Casey, Jr., Chris Van Hollen, Sherrod Brown, Kirsten E. Gillibrand, Tim Kaine, Tammy Baldwin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the nomination of Martin Joseph Walsh, of Massachusetts, to be Secretary of Labor, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The yeas and nays resulted—yeas 68, nays 30, as follows:

[Rollcall Vote No. 126 Ex.]

#### YEAS—68

Baldwin	Graham	Peters
Bennet	Grassley	Portman
Blumenthal	Hassan	Reed
Blunt	Heinrich	Romney
Booker	Hickenlooper	Rosen
Brown	Hoeven	Sanders
Burr	Kaine	Schatz
Cantwell	Kelly	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Lee	Stabenow
Cassidy	Lujan	Sullivan
Collins	Manchin	Tester
Coons	Markey	Tillis
Cornyn	Marshall	Tuberville
Cortez Masto	Menendez	Van Hollen
Cramer	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Fischer	Ossoff	Wyden
Gillibrand	Padilla	

#### NAYS—30

Barrasso	Hawley	Rounds
Blackburn	Hyde-Smith	Rubio
Boozman	Inhofe	Sasse
Braun	Johnson	Scott (FL)
Cotton	Lankford	Scott (SC)
Crapo	Lummis	Shelby
Cruz	McConnell	Thune
Daines	Moran	Toomey
Ernst	Paul	Wicker
Hagerty	Risch	Young

#### NOT VOTING—2

Hirono  
Kennedy

The PRESIDING OFFICER (Mr. VAN HOLLEN). On this vote, the yeas are 68, the nays are 30.

The motion is agreed to.

The Senator from West Virginia.

REMEMBERING ROBERT GUTZ THOMPSON

Mr. MANCHIN. Mr. President, I rise to honor the life of a noble veteran, a beloved husband, father, grandfather, friend, brother, uncle, and someone I had been fortunate enough to call my dear brother-in-law, Robert Gutz Thompson.

What I always admired about Bob was his unparalleled work ethic and determination to learn and serve and to inspire those around him. Bob was a graduate of the University of Wyoming, Class of 1961. He then joined the military and entered flight training in 1963, and he was designated as a naval aviator in 1964. From the day he was motivated to join the military to his military retirement in 1983, he showcased steadfast dedication and a commitment to excellence that can only be matched by his loving devotion as part of our family.

Bob proudly served our Nation for more than 20 years and leaves behind a distinguished legacy of military history, including service aboard the USS *Intrepid*, the USS *Randolph*, the USS *Lexington*, and the USS *Forrestal*. He flew thousands of flight hours throughout his distinguished career. He trained other pilots. He commanded naval units, and he was deployed multiple times, including to the North Atlantic, the Mediterranean, the Caribbean, and the Arctic Circle. He earned the Navy Achievement Medal for his perform-

ance as Landing Signal Officer during a winter deployment to the North Atlantic.

In 1967, he joined the VS-30 squadron and reported to Key West, FL, as an instructor pilot. In 1970, he was awarded the Navy Commendation Medal for recovering aircraft within the Arctic Circle. In 1972, Bob was selected for and attended the Naval War College in Rhode Island and then was assigned to the Naval Air Station Cecil Field, in Florida, to lead the squadron's relocation operations.

In 1976, he served aboard the USS *Forrestal* as operations officer. In 1979, Bob assumed command of the VS-30 squadron, where he deployed with his beloved Diamondcutters to the Mediterranean. Later that year, Bob received orders to the Pentagon to work on what is now known as GPS. His assignments were tough—squadron executive officer, squadron commander, instructor pilot, and so many more—but he was always tougher than they were. It is unbelievable the leader he was to all of those who served and served with pride.

Put simply, Bob was one of the most generous, kind, hard-working, and inspirational people I ever knew. My whole family and I adored Bob ever since he joined the family, and Bob's passing has left a deep impact on all of us. This is also an important time to celebrate Bob's life and the profound feelings of joy and pride that he brought to all of us.

While Bob wasn't born in West Virginia, he certainly was a Mountaineer, through and through, in his heart and soul and was a dedicated fan of his beloved WVU sports teams, especially football and basketball.

When visitors come to our little State, I jump at the chance to tell them we are home to the most hard-working and patriotic people in the Nation. We have fought in more wars; we have shed more blood; and lost more lives for the cause of freedom than most any other State. We have always done the heavy lifting, and no one has ever complained.

We have mined the coal, forged the steel that built the guns and ships and factories that have protected and continue to protect our country to this day.

I am so deeply proud of what West Virginians like my brother-in-law Bob Thompson have accomplished and what they will continue to accomplish to protect the freedoms that we all take for granted and hold so dear.

We have every reason to be proud and to stand tall knowing that West Virginia is the reason Americans sleep peacefully at night. It is because of all of our veterans, past and present, that we can proudly proclaim "Mountaineers Are Always Free," and we are all so very, very proud of our Bob for being a vital part of our legacy.

What is most important is that he lived a full life, surrounded by his loved ones. I extend all of our condolences to

my dear sister Janet, Bob's beloved wife of 56 years; his daughter Mary Jo; his son Peter; granddaughter Isabella; his siblings, Mary, Greg, Kathy, and Clark; his 24 Thompson nieces and nephews; his brothers-in-law John and Rock; sister-in-law Paula; and his 45 Manchin nieces and nephews.

Again, we extend our most sincere condolences for our shared loss of this remarkable—absolutely remarkable person. The unwavering love that Bob had for his family, his friends, and our Nation will live on forever in the hearts of all who had the privilege of knowing Robert Gutz Thompson. God rest, Bob.

The PRESIDING OFFICER. The Senator from Missouri.

FOR THE PEOPLE ACT OF 2021

Mr. BLUNT. Mr. President, I want to join my fellow Senators in remembering Senator MANCHIN's family, his sister, and the rest of his family as they deal with the loss of his brother-in-law.

I want to talk today about a draft I just received—a bill we are actually going to have a hearing on next week—S. 1, the so-called For the People Act.

This bill is the companion act to the House version of H.R. 1. I actually think it is even longer than H.R. 1, which I would have thought impossible. It is over 800 pages. I think they will be introducing the final version in the next day or so, and that is a good thing, since we are supposed to have a hearing on it in the middle of next week.

It packs a lot of what I consider bad changes relating to election administration, campaign finance, redistricting, and so much more into those 800 pages, but there is a lot of space there to pack things in.

I would have to take a lot more time than I have got today to talk about all the things in the bill that I have had concerns about, but I would say, to start with, this idea that one size fits all, this Federal takeover of elections, can't be in the interest of voters in our country.

It would force a single and, I believe, a partisan view of elections and how they should be run in 10,000 different jurisdictions in the country. I don't know how you do that. I don't know how you take 10,000 jurisdictions and try, at the Washington, DC, level in legislation, to determine changes like how they would register voters. Every State, under this bill, would do it exactly the same way—which voting systems they would use; how they would handle early voting and absentee ballots, no matter how long they had been doing it one way that worked for voters in their State; and how they maintain their voter list, whether you can go in and verify whether people on the voter list were still there.

We used to think that was a critically important protection in the election system; that you knew that the voters that had registered to vote in a jurisdiction actually were still in that

jurisdiction. It was actually, in every State, a bragging point of responsible election administration. That would largely go away in this bill.

This bill would require States to make ballot drop boxes available for 45 days prior to the Federal election. Those are boxes that—it even designates the locations and tells the local jurisdiction how they need to handle those ballots as they come out of the boxes and would be processed.

Remember, these are not mailboxes. They would be the ballot drop boxes all over the jurisdiction, if you could find one.

It would mandate unlimited ballot harvesting. That is a process where one person could collect and submit as many ballots as they could collect and submit. You know, in recent elections, we have seen ballot harvesting as a real problem in these elections. Not only does one person have your ballot and get that ballot to where it should be, frankly, one of the problems always with ballot harvesting is maybe a person who knows voters pretty well would collect 20 and put 18 in the mailbox or take 18 to the vote counting area and the other two just somehow don't get there.

Unlimited ballot harvesting, prohibited in many States—and, in fact, in recent years the Democratic House of Representatives failed to seat an elected Representative in North Carolina because that person had used ballot harvesting.

The bill would require States to allow felons to vote in Federal elections. If you didn't like that, in this case, you could have two sets of voter registrations, one for Federal elections and one for all other elections.

And, by the way, if you did that, you would also have to have two different sets of ballots for an election day that had both local and State and Federal issues on the ballot.

And this bill would require that all of these changes be made quickly. Even jurisdictions that recently have changed their processes and spent a lot of time talking to people about those changes over maybe 2 years or 4 years would suddenly be told, no, you have to change them one more time. And maybe it is a day here or a day there, but that makes a big difference if you have already got in your mind how far before an election you have to register to vote or transfer your address or things that election administrators work on all the time.

You know, my first elected job was as the county clerk in Greene County, Springfield, MO, where I was the chief election authority. We had a county of about 180,000 people in it, lots of registered voters, but you had to take that very seriously.

And later I was the chief election authority in our State for 8 years as the secretary of state, and I know how much planning goes into the elections. I know how seriously local officials take it.

I also know how difficult it could be if every change you made had to be cleared some way with somebody in Washington, DC.

You know, States can often take years to transition to a new ballot system or transition to a new way they do things. They also can do it very quickly if they need to, and we saw that happen in a number of States last year.

I think this bill, if it did pass, really doesn't allow the time you need for planning.

The diversity of our election system is one of the great strengths of our system. There is bipartisan agreement on that. I have quoted President Obama on this before, but he said in 2016: "There is no serious person out there who would suggest somehow that you can even rig America's elections, in part, because they are so decentralized and the numbers of votes involved."

This bill would undo that decentralized strength. It would undo that local and State responsibility for having laws that voters who vote for you understand you need to apply in the fairest and best way you can. The bill would make our system less diverse, less secure.

Unfortunately, this bill doesn't just stop at election administration. It takes the campaign finance system and changes it dramatically.

You know, when the Federal Elections Commission was created in the early 1970s, it was a six-member Commission. It was to be bipartisan. This turns it into a five-member Commission, with whoever is the President being able to appoint the third member on one side to always outvote, if they need to, the two members on the other side.

There have been many times, obviously, in the history of the Federal Election Commission when the vote has been 3 to 3 or 2 to 2, whatever the makeup was at the time. This would do away with that and basically turn the Commission from a bipartisan Commission into a prosecutorial body, where one side always has the majority if they want it. I think voters should and would be very concerned about that.

It would allow the Chair of the FEC to make key staffing changes. It would allow judges to review cases, even when the Commission found no violation of the law.

In addition, the bill would create a system of public financing for political campaigns by matching certain contributions with Federal dollars. The match would be 6 to 1. So in the matchable, low-dollar—whatever you define that to be—contributions, if you raise \$100,000 of those contributions, you would have \$700,000. Six hundred thousand of those dollars could have been used by the Federal Government for other things rather than to finance politicians in a campaign.

Now, I understand why politicians would like that. I have raised as much money as most people in this body have raised, and, you know, the idea



that just the Federal Government would come in at some point and give me \$6 for some percentage of those that I raised might be pretty appealing, but I think it would be wrong.

It takes jurisdiction away from the States into how to draw congressional districts. Now, this is going to be inconvenient if it passes because the Constitution specifically says the State legislatures decide how to draw a congressional district. It doesn't say the Congress of the United States tells the State legislatures how to draw congressional districts, but this bill would do that.

The bill requires redistricting commissions. It dictates who would serve on the commissions. It sets the criteria and the procedures for how you draw the maps. It lays out how the commissions have to take public input.

And if that weren't bad enough—it doesn't stop there—it even determines which courts act on all redistricting cases. And this would be a dramatic change where, again, you have a one-size-fits-all system in a country that clearly is not a one-size-fits-all country.

Since very few States currently have commissions like that, it would set a lot of deadlines that we don't currently have. Districts drawn using 2020 census data would all but be guaranteed to be drawn by Federal courts just because of the time that this bill sets out.

But the Federal court drawing the district isn't the big problem. The big problem is forever you have changed this and forever you have put the DC Circuit as the ultimate circuit to determine all redistricting cases. We have never thought that power belonged in Washington, DC, before, but this bill does.

It is an unprecedented power grab by the Federal Government at the expense of the States. I think it is a transparent attempt to stack elections in favor of one party. Election law should not be about a single party.

If this bill were to pass, it would do nothing, in my view, to bolster public confidence in elections. In fact, I suspect most election officials around the country would begin to say: I would like to be able to do something about that problem, but we will have to clear that with Washington, DC, first.

I think the divisions in the country would be worse, not better. Successful election laws are passed on a bipartisan basis. We did that with the Help America Vote Act after 2000. We provided assistance and some direction with the finances, but we didn't change a single State law after 2016. We left that up to the States. We created bipartisan impact when we did that.

We should continue to put the strength and the security of the country's elections before party. We should continue to oppose the efforts of a single party to make sweeping partisan changes in our election system. I don't talk to anybody who doesn't think that this bill, as a similar bill passed the

House, would pass the House on a purely partisan basis. That would be a bad idea.

I encourage my colleagues to look carefully at S. 1, and I think if you do, a majority of the Senate will not support this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

#### FOREIGN THREAT ASSESSMENT REPORT

Mr. GRASSLEY. Mr. President, on March 6 of this year, the intelligence community issued its "Intelligence Community Assessment on Foreign Threats to the 2020 U.S. Federal Elections." Based on that report, some in the liberal media have falsely claimed that my and Senator JOHNSON's Hunter Biden-related oversight activity last Congress was based on Russian disinformation. Even Peter Strzok felt the need to chime in on Twitter to say that we received Russian disinformation.

I don't know how many times I have to say it, but such claims are false and misleading. To be precise, Senator JOHNSON and I didn't receive, solicit, or rely upon any information from Andrii Derkach, and we publicly said so many times.

I don't know how many times last fall I was on this floor of the U.S. Senate trying to explain that to the people who were making those accusations. It seems like Strzok pays just about as careful attention to these facts as he did to the Crossfire FISA applications. Of course, Twitter lets

disinformation about the Steele dossier run wild on their platform yet shuts down still unrefuted reporting on Hunter Biden before the 2020 election. In other words, we have a double standard.

Now, regarding Russian disinformation, it wasn't Senator JOHNSON and this Senator that dealt in it. It happens to be very clear that the other side, the Democrats, were dealing with it. Here's one quick example. If you want more, then I would refer you to section 10 of our September 23, 2020, report.

On July 13, 2020, then-Minority Leader SCHUMER, Senator WARNER, Speaker PELOSI, and Representative SCHIFF sent a letter with a classified attachment to the FBI to express a purported belief that Congress was the subject of a foreign disinformation campaign.

The classified attachment to that letter included unclassified elements that attempted, but failed, to tie our work to Derkach. Those unclassified elements were leaked to the press to support a false campaign accusing us two Senators of using Russian disinformation.

Then, during the course of our investigation, we ran a transcribed interview of George Kent. Before that interview, the Democrats acquired Derkach's materials. During that interview, they asked the witness about it. He stated: "What you're asking me to interpret is a master chart of disinformation and malign influence."

At that interview, the Democrats introduced known disinformation into the investigative record as an exhibit. More precisely, the Democrats relied upon and disseminated known disinformation from a foreign source whom the intelligence community warned was actively seeking to influence U.S. politics. Yet now—can you believe this?—they accuse this Senator and Senator JOHNSON of doing that very thing. Now let that sink in because there is a case of double standard around here.

It is clear that the Democrats hope that their self-created disinformation campaign would drown out our report and its findings to protect Candidate Biden from the facts. Now that President Biden is in office, the facts aren't going anywhere.

I had an opportunity to serve 28 years in the Senate with Senator Biden. I liked him then; I still like him. But that doesn't mean that I like the double standard the press has toward President Biden and us Republicans.

As President Biden gears up for his first press conference, he ought to answer for the fact that his family was and possibly still is financially connected to Chinese nationals with links to the Communist Party and the People's Liberation Army. Indeed, Hunter Biden reportedly admitted that he was well aware that some of his business associates were connected to the Communist Chinese Government intelligence services. Now, double standard—where is the media in asking serious questions about that?

It has also been reported that emails show Joe Biden and his brother were "office mates" with the very same Chinese nationals with links to the Communist regime and the its military. Now, talk about a double standard. Where is the media in asking serious questions about that? Yet they are reporting this very day about things that Johnson and Grassley did about disinformation, which I have told you so many times we never received.

Now there is this interview on television with Tony Bobulinski, publicly stating that Joe Biden was aware of and possibly involved in Hunter Biden's business deals. Talk about a double standard. Where is the media asking serious questions about that?

The Biden family transactions and associations in our September 20 report raised criminal, counterintelligence, and extortion concerns. Yet the media—the liberal media—has ignored all of it and has failed to ask any legitimate questions. Don't you think that we the people have a right to know the answers?

The media certainly seemed to think so in all the doings of the Trump administration. If the story I just laid out here were about Trump, I guarantee you that it would be all over the news.

It is perfectly legitimate and reasonable for Congress and the news media to question the Biden administration

about these global financial transactions and associations. It is perfectly legitimate to ask how they could impact the Biden administration's foreign policy. That is especially true as it relates to China, given the extensive links between the Biden family and that country. Let's see if anyone dares to ask questions at the President's first news conference.

#### NATIONAL SECURITY

Mr. President, on another subject, I want to discuss the national security threats facing our country.

A recent poll showed 45 percent of Americans acknowledge that China is the greatest threat to the United States. A year ago, that percentage was half that number thinking that China was a threat, the greatest threat to the United States.

Frankly, this year, no other nation came close to what they think about China being a threat—not Russia, not North Korea, not Iran. These were all far behind.

Half of Americans believe China is the world's leading economic power. A record 63 percent say that the economic power of China is a critical threat to the United States.

Now, we all know the American people are smart. They are perceiving exactly what is happening with the United States vis-a-vis China or China vis-a-vis the rest of the world. China wants to supplant our country as the greatest nation and the greatest economy in the world, and China will do it if we are blind to that danger.

Everywhere I see the threat of China's rise minimized. On Tuesday, I saw a very curious thing in the declassified "Intelligence Community Assessment of Foreign Threats to the 2020 U.S. Elections." The intelligence community determined that China did not engage in pervasive election meddling but noted that was in part because China saw the risk associated with doing so.

The intelligence community determined that China would not be excited if President Trump had won the 2020 election because he would "challenge China's rise."

The National Intelligence Officer for Cyber Issues, in particular, found that the Government of China wanted former President Trump to be defeated in the general election, preferring "the election of a more predictable member of the establishment instead." And "China took at least some steps to undermine former President Trump's reelection chances, primarily through social media and official public statements and media."

Yet some in the news media read this very same report that I read and declared triumphantly and falsely that there was nothing to fear from China in terms of influencing our elections. It is pretty clear why China would not want a President unafraid to assert American national interests. That means demanding reciprocal trade, secure borders, and a defense policy focused on American national interests.

We all know that China has been playing us for suckers. China continues to try to expand its influence globally, including in international bodies like the World Bank and the World Health Organization. It doesn't seek to play by the rules but to exploit its influence for its own advantage at the expense of the United States and probably any free country because they don't like democracy.

In this same assessment I saw that Iran, another enemy, also wanted to defeat a strong American President and sow division. Many others—Lebanese Hezbollah, the Government of Cuba, and the Maduro Government of Venezuela—they all had the very same idea. They all wanted to defeat President Trump. Only Russia seems to have preferred Trump but just according to that assessment—although I remember reading a year ago during the primaries that Senator BERNIE SANDERS was also a favorite of Russia. He had to have a defensive briefing, meaning Senator SANDERS, because Russia wanted to help his campaign.

Also, remember, it was then-Vice President Biden who first announced the naive and disastrous Obama "reset" appeasement policy toward Russia. This, coming in the wake of Russia's invasion of our ally, Georgia, arguably gave Putin the idea that he could get away with invading Crimea and Ukraine.

Let's also take this moment to recall that when the Obama Justice Department and the FBI saw threats from Russia during the 2016 election, they didn't do what they did for SANDERS. They didn't defensively brief Trump and his team. Instead, do you know where they went? They opened Cross-fire Hurricane and outrageously used briefings to Trump and his associates as intelligence gathering operations, ultimately wasting years of taxpayer money and time.

Abraham Lincoln once said:

America will never be destroyed from the outside. If we lose our freedoms it will be because we have destroyed ourselves from within.

In fact, the goal of what the KGB calls "active measures," like disinformation since Soviet times, has been to pit Americans against each other to cause us to destroy ourselves.

That brings me to another related point. As I see this seat of democracy fortified with walls and barbed wire while the people, the citizens, and the taxpayers are kept out, I can't help but think about where we will go from here.

Yet the Democrats can only speak of destroying the filibuster during these difficult times. When I hear talk of destroying the filibuster—the very tools that force bipartisanship and ensure that those representing all Americans are heard and that America act as one being abolished forever—I am worried. If the slimmest of majorities is about to impose its will on the other half of the country from inside an armed

bunker, the Russians will have achieved their ultimate goal.

We are not our own enemies to be silenced and to be fenced in. We are one Nation, but we must pull together and acknowledge what it means when countries like China and Iran, our enemies and our adversaries, don't want us to put our country's interest first.

#### FREE SPEECH

Mr. President, then, on my last point, I want to bring up another few remarks on the First Amendment, as I have spoken a couple of times before very recently.

I have come to the floor over the last few weeks to talk about the First Amendment, one of America's most cherished pillars of freedom. Unfortunately, in recent years, we have seen a corrosive culture undermining sacred civic freedoms Americans risk taking for granted. Too often we don't think about the freedoms we have because we were born here.

We can learn a lot from immigrants that come to this country and appreciate Americans for our freedoms. Whenever I go to these citizenship ceremonies we have for immigrants, I always tell them: I wish you would tell—when you hear some American complaining about what is wrong with America, I hope you know from your experience in other lands that you came here for freedom. Remind us of how lucky we are to have what we were born into.

Silencing the free exchange of ideas has infiltrated college campuses and even the American workplace. It has even affected journalism, traditional media, and all across our social media platforms. We all know that not all speech is protected by the First Amendment and, occasionally, we in the United States fall into a discussion about the technical boundaries of the First Amendment when we talk about the meaning and the merits of free speech.

Now, the health of our democracy depends on free speech to foster an informed public, something that I think Thomas Jefferson made very clear. If democracy is going to work, it is going to have to work with an educated public. The rigorous exchange of ideas inform debate on issues affecting our lives and enables individuals to challenge power and also to challenge orthodoxy.

In theory, the institutions of the "fourth estate" should be the staunchest defenders of the First Amendment. I think I said it before, but you can't say it too often—and there is probably a 100 different ways you can say it—but I always like to say that journalists are the police of our constitutional system to make sure that everybody and all follow the rule of law. What they bring to the people of this country about how our government functions makes everything very transparent, and when things are transparent, you have accountability.

So as I think about these things, it has been baffling to watch over the last

year as some editors and executives, even at storied institutions, crumble under pressure to police speech, to conform to orthodoxy, and to stifle the exchange of ideas instead of what they should be doing, promoting the contest of these ideas—in other words, speech, orthodoxy, and exchange of ideas—when they are under attack.

It is now old news, but, last summer, a long-time opinion editor of the New York Times was pushed out of his position. For what? For having the audacity to publish an opinion piece written by Senator TOM COTTON. Apparently, a group of readers and employees found Senator COTTON's ideas so upsetting as to warrant the removal of the editor who had the guts to publish them. The paper also issued a several-hundred-word editor's note even expressing regret for publishing the piece in the first place.

If those readers and employees at the Times disagreed so strongly, the public could have learned something by publishing a counter-argument instead of reading about their regret. I, myself, have publicly disagreed with Senator COTTON about a policy idea or two, and I make my points here on the Senate floor. I don't ask for Senator COTTON's resignation, like they had to expunge his or give all sorts of excuses why they published that and they shouldn't have published it.

Instead, what do we have? We had executives at a paper of record scapegoat a colleague for failing to confirm to some yet unexplained orthodoxy versus a rational decision to engage in public debate on their pages.

In January, POLITICO invited a slate of individuals to guest-edit their widely read newsletter, "Playbook." Among those guest editors was Ben Shapiro, a conservative commentator. His name alone was enough to spark a backlash among staffers and even outside commentators. To their credit, the editors of POLITICO did not apologize.

But according to the Washington Post media writer, some POLITICO employees who privately supported the choice to publish Shapiro were "afraid" to speak up on staff calls, fearing backlash among colleagues.

Now, that is only two episodes I give you, but these episodes represent a very unhealthy environment where too many think it is prudent to give voice to those with whom they agree or whose views are deemed acceptable.

While the editors did the right thing at one outlet, they didn't at the other. Either way, it probably means that they will be more selective about what is acceptable—what is acceptable—in the future as we do the businesses of our newspapers.

Now, when you worry about what is acceptable, it certainly doesn't serve those principles that I mentioned earlier that ought to be encouraging dialogue, dispute, learning from each other, and educating each other. Now, these may be fairly obscure controversies I just gave you, but they are indicative of a yet wider problem.

Expectations of acceptability and a preference for unchallenged ideas—this all chips away at the most sacred civic freedoms in America. No one learns more by less debate. Neglecting to defend free speech and champion the free exchange of ideas creates a pathway for censorship. Democracy doesn't thrive on censorship.

The institutions of the news media ought to defend the fundamental principles behind free speech and free press at the top of their lungs. The First Amendment is the oxygen of their own existence.

If they were doing their work, there shouldn't have to be a single Senator here in the U.S. Senate giving speeches about why they don't want more free speech and why they want less free speech.

Last fall, the New York Post had a story censored on Twitter a short time before the election. Regardless of what one thinks about the content of that story, the methods of reporting, or even the tone of the writing, the suppression of information like that should alarm both news writers and news consumers. They ought to be more a protector of freedom of speech and freedom of press than a Senator here on the U.S. Senate talking about it.

Many outlets went to work fact-checking or reporting on the topic in their own way. That is all well and good. It is their job. But the public conversation about the censorship devolved into a question of whether Twitter had the legal ability to do what it did instead of a discussion of whether it was the right thing to do, because it wasn't right. Even Twitter's CEO sees that now.

However, there were no fiery defenses of free speech and free press from the mainstream outlets, and those mainstream outlets ought to be the ones talking more about freedom of speech and freedom of press than having Senators on the floor of the U.S. Senate bring it up and say: Why aren't you doing your job? Why aren't you practicing your profession as it ought to be? Why aren't you being the policemen of the system the way you ought to be?

Not even media with caveats were reporting about that Twitter event that I just spoke about. This was a perfect opportunity for journalistic institutions to weigh in, and they should have weighed in. They have a dog in the fight. It should be the bread-and-butter issues for every editorial board across the country—not just the editorial board but the reporters. The lack of this kind of pro-free press and pro-free speech advocacy also contributes to the unhealthy environment that shuns debate and silences dissent.

So what will be the consequences of a media environment where conformity and comfort take precedent over the free exchange of ideas? The first and most obvious is a less rigorous and less informed public discourse and the citi-

zens less informed. Opinions and preferences, especially on matters of public interest, are always improved after being challenged.

If you disagree with the New York Times' editorial board or a pundit for FOX News, that is fine.

It would be better if the public heard all about it. Broader discussions mean broader understanding. Without a broad, vigorous public debate, we lose empathy that results from engaging with somebody else's ideas.

In these divisive times in society, empathy is in low supply. The last thing that we lose in a media environment ruled by compliance and conformity is the grand American tradition of dissent.

Free speech and free press have centuries-long history in America, from Thomas Paine's pamphlets to the tweets spreading across the land this very minute, the revolutionary contest of ideas might take a different shape but remain critical to our civic culture and the continued growth of our Nation and the strengthening of our democracy.

I hope more institutions in the "fourth estate" will take an aggressive approach advocating free speech.

Now, I wasn't around when Thomas Paine published "Common Sense," but history and my own experience teaches me two important lessons: The free exchange of ideas strengthens representative government and will, then, help preserve our democratic Republic for generations to come. And that is what this generation should be all about, making it better for the next generation, both from the standpoint of the economy but also for an understanding of our democratic institutions.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar No. 28 and Calendar No. 36; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the Record; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of William Joseph Burns, of Maryland, to be Director of the Central Intelligence Agency; and Brian P. McKeon, of the District of Columbia, to be Deputy Secretary of State for Management and Resources.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. SCOTT of Florida. Madam President, I rise in opposition to the nomination of William Burns to be Director of the Central Intelligence Agency.

Communist China is the biggest threat our Nation faces. General Secretary Xi will stop at nothing in his quest for world domination and has made clear that he seeks to push the United States out of the Indo-Pacific and weaken and intimidate his neighbors, including our allies. Communist China continues to threaten to take Taiwan by force.

Communist China is committing a genocide against the Uighurs and stripping Hong kongers of their basic rights. China sees the United States as its global adversary and is taking the steps necessary to "win" the great power conflict of the 21st century. China is taking every opportunity it can around the world to gain influence and exert control.

I am concerned that some past statements and actions by Ambassador Burns indicate an inaccurate view of Communist China and the danger it poses to our Nation and to Americans. Any U.S. official who thinks that China can play a positive role in the world, particularly among developing states or as a contributor to peace and stability, is mistaken. Ambassador Burns has not shown that he understands the threat that Communist China represents.

I am also troubled that Ambassador Burns' view of Castro's Communist regime in Cuba is equally flawed. I cannot support anyone who backed the failed Obama-Biden appeasement policies, which did nothing to help the Cuban people and allowed Havana to extend its reach and expand its control, giving power to other ruthless dictatorships in Latin America.

My opposition to Ambassador Burns' nomination is grounded in our fundamentally different views. Ambassador Burns has not demonstrated that he understands the threats we face around the world and the causes of those threats. We need leaders who will be strong and stand up for American interests in the face of dangerous regimes like Cuba and China, regimes that are committed to harm the United States and our allies.

For all these reasons, Mr. President, I oppose Ambassador Burns' nomination and urge my colleagues to do the same.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Burns and McKeon nominations en bloc?

The nominations were confirmed en bloc.

## UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the postclosure time on the Walsh nomination be considered expired and the Senate vote on the confirmation of the nomination at 5:30 p.m., Monday, March 22.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 32.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Shalanda D. Young, of Louisiana, to be Deputy Director of the Office of Management and Budget.

### CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 32, Shalanda D. Young, of Louisiana, to be Deputy Director of the Office of Management and Budget.

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Jon Tester, Gary C. Peters, Brian Schatz, Sherrod Brown, Patty Murray, Jon Ossoff, Joe Manchin III, Thomas R. Carper, Debbie Stabenow, Martin Heinrich, Kirsten E. Gillibrand, Jeanne Shaheen, Mark R. Warner, Kyrsten Sinema.

## LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 39.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Vivek Hallegere Murthy, of Florida, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service for a term of four years.

### CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 39, Vivek Hallegere Murthy, of Florida, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service for a term of four years.

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Benjamin L. Cardin, Jon Tester, Richard Blumenthal, Michael F. Bennet, Sheldon Whitehouse, Sherrod Brown, Jeanne Shaheen, Debbie Stabenow, Thomas R. Carper, Margaret Wood Hassan, Elizabeth Warren, Patty Murray, Alex Padilla, Tina Smith, Tim Kaine.

## LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 40.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Rachel Leland Levine, of Pennsylvania, to be an Assistant Secretary of Health and Human Services.

## CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 40, Rachel Leland Levine, of Pennsylvania, to be an Assistant Secretary of Health and Human Services.

Charles E. Schumer, Patty Murray, Benjamin L. Cardin, Jon Tester, Richard Blumenthal, Michael F. Bennet, Sheldon Whitehouse, Sherrod Brown, Jeanne Shaheen, Debbie Stabenow, Thomas R. Carper, Margaret Wood Hassan, Elizabeth Warren, Alex Padilla, Tina Smith, Tim Kaine, Christopher A. Coons.

## LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 38.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of David Turk, of Maryland, to be Deputy Secretary of Energy.

## CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 38, David Turk, of Maryland, to be Deputy Secretary of Energy.

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Robert Menendez, Chris Van Hollen, Tammy Baldwin, Thomas R. Carper, Tina Smith, Richard Blumenthal, Ben Ray Lujan, Debbie Stabenow, Ron Wyden, Cory A. Booker, Alex Padilla, Jack Reed, Mark R. Warner, Chris Van Hollen, Robert P. Casey, Jr.

## LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 30.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read nomination of Adeyemo O. Adeyemo, of California, to be Deputy Secretary of the Treasury.

## CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 30, Adeyemo O. Adeyemo, of California, to be Deputy Secretary of the Treasury.

Charles E. Schumer, Chris Van Hollen, Michael F. Bennet, Jack Reed, Tammy Duckworth, Sheldon Whitehouse, Jeff Merkley, Christopher A. Coons, Richard Blumenthal, Patrick J. Leahy, Amy Klobuchar, Tina Smith, Brian Schatz, Robert Menendez, Richard J. Durbin, Martin Heinrich, Maria Cantwell.

## LEGISLATIVE SESSION

PPP EXTENSION ACT OF 2021—  
Motion to Proceed

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

Mr. SCHUMER. Madam President, I ask unanimous consent that it be in order to move to proceed to Calendar No. 11, H.R. 1799.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I move to proceed to Calendar No. 11, H.R. 1799.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 11, H.R. 1799, a bill to amend the Small Business Act and the CARES Act to extend the covered

period for the paycheck protection program, and for other purposes.

## CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 11, H.R. 1799, a bill to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

Charles E. Schumer, Patrick J. Leahy, Brian Schatz, Debbie Stabenow, Patty Murray, Martin Heinrich, Kirsten E. Gillibrand, Jon Ossoff, Jeanne Shaheen, Mark R. Warner, Kyrsten Sinema, Catherine Cortez Masto, Tina Smith, Ron Wyden, Jacky Rosen, Benjamin L. Cardin.

UNANIMOUS CONSENT  
AGREEMENT

Mr. SCHUMER. Finally, Madam President, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, March 18, be waived.

## MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that there be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

CONFIRMATION OF XAVIER  
BECERRA

● Ms. HIRONO. Madam President, I rise today in support of the nomination of my friend and former colleague Xavier Becerra to lead the Department of Health and Human Services.

Xavier and I served together in the House of Representatives from January 2007 to January 2013. While we sat on different House committees, we were both very involved in one of Congress's most significant achievements during that time—passage of the Affordable Care Act, ACA. The ACA promised to greatly shrink the number of uninsured Americans and rein in health care costs that were increasing rapidly. It also led to false, harsh, partisan accusations by Republicans that the law was going to ration health care and death panels were inevitable.

Despite years of sabotage and dozens of attempts to repeal it, the Affordable Care Act has lived up to its promise: more than 20 million Americans gained

health insurance thanks to the ACA, and the ACA reduced health care spending a total of \$2.3 trillion between 2010 and 2017.

As a senior member of the Health Subcommittee of the House Ways and Means Committee, Xavier Becerra played a significant role to help write and pass the ACA and defended the law from near continuous Republican assault as California's attorney general. Most recently, he has been leading litigation at the Supreme Court to reinstate the ACA after an ideologically-driven district court judge struck down the law in its entirety.

These efforts demonstrate the leadership, experience, and health policy expertise Xavier will bring to the Department of Health and Human Services.

Despite these bona fides, Republican Senators are actively smearing Xavier's reputation and misrepresenting his qualifications to prevent him from becoming the first Latino to serve as HHS Secretary.

First, they claim Xavier isn't qualified because he isn't a doctor. Republicans clearly didn't believe this was a deal breaker when all but one of them voted to confirm Alex Azar—a former executive at Eli Lilly—as Donald Trump's HHS Secretary. I think most Americans would rather have an HHS Secretary like Xavier Becerra, who successfully sued hospitals to lower healthcare costs, than a person in charge of running a pharmaceutical company. Republicans have also claimed that Xavier lacks "extensive health care experience." This is particularly rich coming from the same people who voted to confirm Betsy DeVos to become Education Secretary. She not only had never worked in a public school, she had never even attended one. These same Republicans voted to confirm Rick Perry to become Energy Secretary, when he didn't even know the Department of Energy was responsible for the Nation's nuclear arsenal.

Throughout his 12 terms in the House of Representatives, Xavier Becerra was a leader on health policy issues. He helped write the most sweeping change to our healthcare system in more than a generation, and now, as the California attorney general, he is defending that law in court. He has the experience needed to lead the Department of Health and Human Services.

Republicans are also attacking Xavier's nomination on the grounds that he is somehow "extreme" and "a radical" because he supports a woman's right to have an abortion. The Supreme Court first recognized a woman's constitutional right to an abortion in 1973. That is nearly 50 years ago. Supporting this fundamental right is anything but radical, it is a position shared by almost 70 percent of the American people. But that hasn't stopped attacks on a woman's right to seek and have one.

What is "extreme" and "radical" are Republican efforts to undermine this right—if not completely eliminate it.

Just last week, the Republican Governor of Arkansas signed a law that bans all abortions unless they are necessary to save the life of the mother. This law is directly contrary to the Supreme Court's command that States cannot prohibit abortion prior to viability. It does not even include an exception for pregnancies that are the result of rape or incest.

The junior senator from Arkansas has called Xavier Becerra "extreme" and "a radical" for defending a woman's constitutional right to an abortion, while his State wants to force women who have been raped to carry their pregnancies to term. What planet are we living on?

On Thursday night, Xavier Becerra will be confirmed to become the next Secretary of the Department of Health and Human Services. In any normal world, the vote would be bipartisan and it would be overwhelming. I strongly support his nomination and call on my colleagues to do so as well.●

(At the request of Mr. Schumer, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

● Ms. HIRONO. Madam President, I was necessarily absent for votes on March 18, 2021, so I could return to Hawaii to tend to a family matter.

On March 18, had I been present, I would have voted yea on confirmation: Xavier Becerra, of California, to be Secretary of Health and Human Services, rollcall vote 125.

Madam President, I was necessarily absent for votes on March 18, 2021, so I could return to Hawaii to tend to a family matter.

On March 18, had I been present, I would have voted yea on cloture motion: Martin Joseph Walsh, of Massachusetts, to be Secretary of Labor, rollcall vote 126.●

#### ADDITIONAL STATEMENTS

##### RECOGNIZING LaGRANGE HIGH SCHOOL

● Mr. CASSIDY. Madam President, I rise today to speak to the fortitude of the students, faculty, and staff of LaGrange High School. Located in Lake Charles, LA, LaGrange High School educates over 1,000 students and is led by their Principal Monica Guillory. As you may know, on top of a global pandemic, southwest Louisiana was ravaged by two major hurricanes last year. In most cases, people would try to return to some sense of normalcy or return to the status quo following a deadly virus and multiple natural disasters. However, the LaGrange High School girls' basketball team, known as the Lady Gators, would not accept the status quo. Led by head coach La'Keem Holmes, and assistant coaches Patrick Woodard, Sharde Henry, and Sean Andress, these ladies carried their

school and community through troubled waters and became back-to-back Class 4A State champions. This is the first school in the Lake Charles area to be State champions back-to-back. These young women gave their community something to rally behind during hard times, the purple and white. What a gift that is. It is my honor to visit them and learn of all the great things they are accomplishing.●

##### RECOGNIZING OSHER LIFELONG LEARNING INSTITUTE

● Mr. KAINE. Mr. President, I rise today to congratulate the Osher Lifelong Learning Institute at George Mason University, OLLI Mason, its 30th anniversary and on its continuing success in offering educational programming for older Americans in Northern Virginia. Programs like OLLI Mason provide lifelong learning opportunities for seniors interested in maintaining an active intellectual life.

The Learning in Retirement Institute was founded in 1991 to establish educational and social opportunities for a growing base of seniors in Northern Virginia. The Institute soon became affiliated with George Mason University as part of Mason's vision to extend its learning mission in the community. The institute was generously endowed by the Bernard Osher Foundation, a nonprofit that is dedicated to enhancing quality of life in the United States through education and the arts.

What started two decades ago as a member-run Learning in Retirement Center with 100 members operating and teaching out of one room in Mason's Commerce II Building has burgeoned today into a robust, first-rate educational and social institute with 1,100 members.

OLLI Mason's mission is "to offer its members learning opportunities in a stimulating environment in which adults can share their talents, experiences and skills, explore new interests, discover and develop latent abilities, engage in intellectual and cultural pursuits, and socialize with others of similar interests." OLLI Mason has fulfilled this mission by offering retirees in Northern Virginia over 600 courses from arts to zoology, religion to science, as well as excursions and special events.

As the over 50 population across the Commonwealth continues to live longer and healthier lives, I am pleased to recognize OLLI, George Mason University, and the County of Fairfax for their initiative in foreseeing decades ago the critical need to offer programs that meet the needs, expand opportunities, and enhance the quality of life for older Americans across Northern Virginia. I look forward to many more years of their programming success.●



### MEASURES REFERRED ON MARCH 17, 2021

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 485. An act to reauthorize the Child Abuse Prevention and Treatment Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1085. An act to award three congressional gold medals to the United States Capitol Police and those who protected the U.S. Capitol on January 6, 2021; to the Committee on Banking, Housing, and Urban Affairs.

### MEASURES READ THE FIRST TIME ON MARCH 17, 2021

The following bill was read the first time:

H.R. 1799. An act to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

### MESSAGES FROM THE HOUSE

At 10:42 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 1651. An act to amend the CARES Act to extend the sunset for the definition of a small business debtor, and for other purposes.

H.R. 1652. An act to deposit certain funds into the Crime Victims Fund, to waive matching requirements, and for other purposes.

H.J. Res. 17. Joint resolution removing the deadline for the ratification of the equal rights amendment.

At 2:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1620. An act to reauthorize the Violence Against Women Act of 1994, and for other purposes.

### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1799. An act to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

### EXECUTIVE AND OTHER COMMUNICATIONS

The following communication was laid before the Senate, together with accompanying papers, reports, and documents, and was referred as indicated:

EC-643. A communication from the Regulations Coordinator, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health and Human Services Grants Regulation" (RIN0991-AC16) received in the Office of the President of the Senate on March 11, 2021; to the Committee on Health, Education, Labor, and Pensions.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHATZ (for himself, Mr. VAN HOLLEN, Ms. WARREN, Mrs. GILLIBRAND, Mr. MERKLEY, and Mr. WHITEHOUSE):

S. 817. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain trading transactions; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. CORNYN, Mr. DURBIN, Mr. LEAHY, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 818. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself, Mr. BOOZMAN, Mr. BRAUN, Mrs. CAPITO, Mr. CORNYN, Mr. COTTON, Mr. CRAMER, Mr. CRUZ, Mr. DAINES, Mr. HAGERTY, Mr. HAWLEY, Mr. HOEVEN, Mr. KENNEDY, Ms. LUMMIS, Mr. SCOTT of Florida, Mr. SULLIVAN, and Mr. TILLIS):

S. 819. A bill to enhance the security of the United States and its allies, and for other purposes; to the Committee on Foreign Relations.

By Mrs. BLACKBURN:

S. 820. A bill to provide an exemption from certain requirements for federally funded projects and activities in areas not in metropolitan statistical areas, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BURR (for himself and Mr. KING):

S. 821. A bill to amend the Higher Education Act of 1965 to establish a simplified income-driven repayment plan, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BLACKBURN (for herself, Mr. CRUZ, Mr. CRAMER, Mr. TUBERVILLE, Mr. BRAUN, Mr. HAWLEY, Mr. SCOTT of Florida, and Mr. TILLIS):

S. 822. A bill to amend the Higher Education Act of 1965 to require program participation agreements between institutions of higher education and Hanban if a Confucius Institute operates on the campus of the institution; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. WYDEN, Mr. MENENDEZ, and Mr. VAN HOLLEN):

S. 823. A bill to amend the American Rescue Plan Act of 2021 to provide for protection of recovery rebates; to the Committee on Finance.

By Mr. MORAN (for himself and Mr. MARSHALL):

S. 824. A bill to designate the facility of the United States Postal Service located at 17 East Main Street in Herington, Kansas, as the "Captain Emil J. Kapaun Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):

S. 825. A bill to establish the Southern Maryland National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL (for himself and Ms. MURKOWSKI):

S. 826. A bill to amend title XVIII of the Social Security Act to establish a Medicare payment option for patients and eligible professionals to freely contract, without penalty, for Medicare fee-for-service items and

services, while allowing Medicare beneficiaries to use their Medicare benefits; to the Committee on Finance.

By Ms. ERNST (for herself, Mr. GRASSLEY, Mr. SCOTT of Florida, Mr. TILLIS, Mrs. CAPITO, Mr. RUBIO, Mr. CRAMER, Mrs. BLACKBURN, Mr. BRAUN, Mr. LEE, Mr. HAGERTY, Ms. LUMMIS, and Mr. SASSE):

S. 827. A bill to authorize the Secretary of Education to establish and maintain a public website tracking the expenditures by States of COVID-19 education relief funds; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself and Ms. STABENOW):

S. 828. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself and Ms. WARREN):

S. 829. A bill to amend title 10, United States Code, to improve the TRICARE program for certain members of the Retired Reserve of the reserve components; to the Committee on Armed Services.

By Mr. VAN HOLLEN (for himself and Mrs. CAPITO):

S. 830. A bill to amend title 40, United States Code, to require the Administrator of General Services to enter into a cooperative agreement with the National Children's Museum to provide the National Children's Museum rental space without charge in the Ronald Reagan Building and International Trade Center, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 831. A bill to reauthorize the EB-5 Regional Center Program in order to prevent fraud and to promote and reform foreign capital investment and job creation in American communities; to the Committee on the Judiciary.

By Mr. CARDIN:

S. 832. A bill to amend the Energy Independence and Security Act of 2007 to fund job-creating improvements in energy and resiliency for Federal buildings managed by the General Services Administration, to enable a portfolio of clean buildings by 2030, and for other purposes; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KELLY, Mr. KING, Mr. LEAHY, Mr. MANCHIN, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 833. A bill to amend XVIII of the Social Security Act to allow the Secretary of Health and Human Services to negotiate fair prescription drug prices under part D of the Medicare program; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. BOOZMAN, and Mr. SCHUMER):

S. 834. A bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes; to the Committee on Finance.

By Mrs. BLACKBURN:

S. 835. A bill to provide that the Federal Communications Commission and communications service providers regulated by the Commission under the Communications Act of 1934 shall not be subject to certain provisions of the National Environmental Policy Act of 1969 and the National Historic Preservation Act with respect to the construction, rebuilding, or hardening of communications facilities following a major disaster or an emergency declared by the President, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUNT (for himself, Ms. STABENOW, Mr. BOOZMAN, and Mr. CASEY):

S. 836. A bill to amend subpart 1 of part B of title IV of the Social Security Act to ensure that mental health screenings and assessments are provided to children and youth upon entry into foster care; to the Committee on Finance.

By Mrs. MURRAY (for herself, Ms. CANTWELL, Mrs. FEINSTEIN, Mr. PADILLA, Ms. KLOBUCHAR, Ms. SMITH, and Mr. DURBIN):

S. 837. A bill to provide relief to public transportation agencies with projects in the Full Funding Grant Agreement stage of the Capital Investment Grants Program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VAN HOLLEN (for himself, Mr. TESTER, Ms. COLLINS, and Mr. CARPER):

S. 838. A bill to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY (for himself, Ms. WARREN, Mr. SCOTT of South Carolina, and Mr. WHITEHOUSE):

S. 839. A bill to establish a postsecondary student data system; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself, Mr. CORNYN, Mr. TILLIS, and Mr. SASSE):

S. 840. A bill to amend title 28, United States Code, to increase transparency and oversight of third-party litigation funding in certain actions, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO:

S. 841. A bill to decrease the cost of hiring, and increase the take-home pay of, Puerto Rican workers; to the Committee on Finance.

By Mr. CRUZ (for himself and Mr. HAGERTY):

S. 842. A bill to amend the Internal Revenue Code of 1986 to ensure that the 2021 Recovery Rebates are not provided to illegal immigrants; to the Committee on Finance.

By Ms. SINEMA (for herself, Ms. MURKOWSKI, Mr. WHITEHOUSE, and Mrs. CAPITO):

S. 843. A bill to establish the Committee on Large-Scale Carbon Management in the National Science and Technology Council and a Federal Carbon Removal Initiative, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. THUNE (for himself, Mr. MURPHY, Mr. BARRASSO, Mrs. CAPITO, Mr. CRAMER, Mr. KING, Ms. MURKOWSKI, Mr. ROUNDS, and Mr. WICKER):

S. 844. A bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care; to the Committee on Finance.

By Mr. LEAHY:

S. 845. A bill to amend title 5, United States Code, to protect Federal employees

from retaliation for the lawful use of Federal records, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HEINRICH (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Ms. CORTEZ MASTO, Mrs. FEINSTEIN, Mr. MARKEY, Ms. WARREN, Mr. SANDERS, Mr. MERKLEY, Ms. ROSEN, Mr. REED, Mr. WYDEN, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. BOOKER, Mr. SCHATZ, Mr. CARDIN, Mr. LUJAN, and Mr. LEAHY):

S. 846. A bill to provide for the confidentiality of information submitted in requests for deferred action under the deferred action for childhood arrivals program, and for other purposes; to the Committee on the Judiciary.

By Mr. BRAUN (for himself, Ms. SINEMA, Mr. COONS, Mr. HAWLEY, Mr. WARNOCK, and Ms. WARREN):

S. 847. A bill to amend the Higher Education Act of 1965 to eliminate origination fees on Federal Direct loans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BRAUN (for himself and Ms. SINEMA):

S. 848. A bill to amend the Higher Education Act of 1965 in order to improve the service obligation verification process for TEACH Grant recipients, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself and Mr. KING):

S. 849. A bill to require the Director of National Intelligence and the Director of the Central Intelligence Agency to conduct a study to identify supply chains critical to national security, and for other purposes; to the Select Committee on Intelligence.

By Mr. KING (for himself and Ms. WARREN):

S. 850. A bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of \$1,000 or more from any contributor during a calendar year, and for other purposes; to the Committee on Rules and Administration.

By Mr. BLUMENTHAL:

S. 851. A bill to address social determinants of maternal health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL:

S. 852. A bill to provide for further comprehensive research at the National Institute of Neurological Disorders and Stroke on unruptured intracranial aneurysms; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Ms. COLLINS):

S. 853. A bill to amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN (for herself and Mr. GRASSLEY):

S. 854. A bill to designate methamphetamine as an emerging threat, and for other purposes; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself, Mr. RISCH, and Mr. CRAPO):

S. 855. A bill to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SINEMA (for herself and Ms. COLLINS):

S. 856. A bill to amend the Securities Exchange Act of 1934 to create an interdivisional taskforce at the Securities and Exchange Commission for senior investors, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARPER (for himself and Mr. MERKLEY):

S. 857. A bill to amend title 5, United States Code, to require the Director of the Office of Personnel Management to establish and maintain a public directory of the individuals occupying Government policy and supporting positions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KENNEDY:

S. 858. A bill to establish criminal penalties for aliens who fail to depart before the expiration of their visas; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 859. A bill to terminate the Diversity Immigrant Visa Program; to the Committee on the Judiciary.

By Mr. LANKFORD (for himself and Mr. KAINE):

S. 860. A bill to develop and deploy firewall circumvention tools for the people of Hong Kong after the People's Republic of China violated its agreement under the Joint Declaration, and for other purposes; to the Committee on Foreign Relations.

By Ms. SMITH (for herself, Mr. YOUNG, Mr. GRASSLEY, and Mrs. FEINSTEIN):

S. 861. A bill to establish an interagency One Health Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. PAUL, and Mr. MERKLEY):

S. 862. A bill to create a safe harbor for insurers engaging in the business of insurance in connection with a cannabis-related legitimate business, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. INHOFE (for himself, Mr. ROUNDS, Mrs. BLACKBURN, Mr. THUNE, and Mr. TILLIS):

S. 863. A bill to require asylum officers at United States embassies and consulates to conduct credible fear screenings before aliens seeking asylum may be permitted to enter the United States to apply for asylum, and for other purposes; to the Committee on the Judiciary.

By Mr. KAINE (for himself, Mr. PORTMAN, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BRAUN, Mr. BROWN, Mrs. CAPITO, Mr. CARDIN, Ms. COLLINS, Mr. COONS, Mr. CRAMER, Ms. DUCKWORTH, Ms. ERNST, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HOEVEN, Mr. KELLY, Mr. KING, Ms. KLOBUCHAR, Mr. MARSHALL, Mr. MORAN, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. WICKER, Mr. SULLIVAN, and Mr. INHOFE):

S. 864. A bill to extend Federal Pell Grant eligibility of certain short-term programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. SANDERS, Mr. BROWN, Mr. BOOKER, Mrs. GILLIBRAND, Ms. WARREN, Mr. MARKEY, and Mr. WICKER):

S. 865. A bill to recognize the right of the People of Puerto Rico to call a status convention through which the people would exercise their natural right to self-determination, and to establish a mechanism for congressional consideration of such decision, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. PORTMAN, Mrs. SHAHEEN, Mrs. CAPITO, Mr. BENNET, Mr. MARSHALL, and Mr. HEINRICH):

S. 866. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 to promote reforestation following unplanned events on Federal land, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 867. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Women's Hall of Fame; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND (for herself, Mr. CASSIDY, and Mr. KING):

S. 868. A bill to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title and waive the 24-month waiting period for Medicare eligibility for individuals with Huntington's disease; to the Committee on Finance.

By Mr. COONS (for himself, Mr. RUBIO, Ms. HASSAN, and Mr. CORNYN):

S. 869. A bill to establish the Office of Supply Chain Preparedness within the Department of Commerce to manage the partnership of the United States with private industry and State and local governments with respect to the manufacturing of critical resources, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. STABENOW (for herself, Mr. BARRASSO, and Ms. SINEMA):

S. 870. A bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program; to the Committee on Finance.

By Mr. COONS (for himself and Mr. DURBIN):

S. 871. A bill to strengthen American economic resiliency and equitably expand economic opportunity by launching a national competition, promoting State and local strategic planning, encouraging innovation by the public and private sectors, and by substantially investing Federal resources in research and development; to the Committee on Finance.

By Ms. DUCKWORTH (for herself, Ms. WARREN, Ms. SMITH, Mr. MERKLEY, Mr. DURBIN, Mr. WYDEN, Mr. SCHATZ, Mr. MARKEY, Mr. BOOKER, Mr. BLUMENTHAL, Mr. SANDERS, Mr. VAN HOLLEN, and Mr. PADILLA):

S. 872. A bill to restore, reaffirm, and reconcile environmental justice and civil rights, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN:

S. 873. A bill to establish the Climate Change Advisory Commission to develop recommendations, frameworks, and guidelines for projects to respond to the impacts of climate change, to issue Federal obligations, the proceeds of which shall be used to fund projects that aid in adaptation to climate change, and for other purposes; to the Committee on Finance.

By Ms. WARREN (for herself, Mr. MARKEY, Mr. MERKLEY, Mr. SANDERS, Mr. PADILLA, Mr. BOOKER, and Mr. BLUMENTHAL):

S. 874. A bill to establish a green transportation infrastructure grant program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KENNEDY:

S. 875. A bill to make any city or county that has in effect any law or ordinance that is in violation of Federal immigration law ineligible for any Federal grant, and for other purposes; to the Committee on the Judiciary.

By Ms. COLLINS (for herself and Ms. SMITH):

S. 876. A bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SHELBY:

S.J. Res. 12. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 percent of the gross domestic product of the United States during the previous calendar year; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. RISCH (for himself and Mr. MENENDEZ):

S. Res. 122. A resolution reaffirming the importance of United States alliances and partnerships; to the Committee on Foreign Relations.

By Mrs. FEINSTEIN (for herself, Ms. COLLINS, Ms. MURKOWSKI, Mr. MERKLEY, Mr. DURBIN, Ms. CORTEZ MASTO, Mr. MARKEY, Mr. KAINE, Ms. WARREN, Ms. KLOBUCHAR, Ms. HASSAN, Mr. MENENDEZ, Ms. DUCKWORTH, Mr. CASEY, Mr. CARDIN, Ms. CANTWELL, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. WARNER, Ms. BALDWIN, Mr. WYDEN, Ms. ERNST, Mrs. CAPITO, Mrs. SHAHEEN, Ms. ROSEN, Mr. BOOKER, Ms. STABENOW, Mr. KING, Ms. HIRONO, Mr. HEINRICH, Ms. SINEMA, Mrs. GILLIBRAND, Ms. SMITH, Mrs. HYDE-SMITH, Mrs. FISCHER, Ms. LUMMIS, Mr. PADILLA, Mr. CARPER, and Mrs. BLACKBURN):

S. Res. 123. A resolution designating March 2021 as "National Women's History Month"; to the Committee on the Judiciary.

By Mr. CARDIN (for himself and Mr. WICKER):

S. Res. 124. A resolution celebrating the heritage of Romani Americans; to the Committee on Foreign Relations.

By Ms. MURKOWSKI (for herself, Mr. SCHATZ, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Ms. CORTEZ MASTO, Mr. DAINES, Mr. DUCKWORTH, Mr. HEINRICH, Ms. HIRONO, Mr. HOEVEN, Mr. KAINE, Mr. KELLY, Mr. KING, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. MORAN, Mr. MENENDEZ, Mr. MERKLEY, Mr. PADILLA, Ms. ROSEN, Mr. ROUNDS, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. WARNER, Ms. WARREN, and Mr. WYDEN):

S. Res. 125. A resolution recognizing the heritage, culture, and contributions of American Indian, Alaska Native, and Native Hawaiian women in the United States; to the Committee on Indian Affairs.

By Mr. RUBIO (for himself, Mr. CARDIN, Mr. BRAUN, Mr. BOOZMAN, Mr. HOEVEN, Mr. YOUNG, Mr. COONS, Mr. COTTON, Mr. DURBIN, Mr. HAWLEY, Mr. MARSHALL, Mrs. HYDE-

SMITH, Mr. INHOFE, Mr. MARKEY, Mr. RISCH, and Mr. TILLIS):

S. Res. 126. A resolution condemning the crackdown by the Government of the People's Republic of China and the Chinese Communist Party in Hong Kong, including the arrests of pro-democracy activists and repeated violations of the obligations of that Government undertaken in the Sino-British Joint Declaration of 1984 and the Hong Kong Basic Law; to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS

S. 40

At the request of Mr. BOOKER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 40, a bill to address the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to study and consider a national apology and proposal for reparations for the institution of slavery, its subsequent de jure and de facto racial and economic discrimination against African Americans, and the impact of these forces on living African Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes.

S. 51

At the request of Mr. CARPER, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 51, a bill to provide for the admission of the State of Washington, D.C. into the Union.

S. 70

At the request of Ms. HASSAN, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 70, a bill to amend title 32, United States Code, to authorize cybersecurity operations and missions to protect critical infrastructure by members of the National Guard in connection with training or other duty.

S. 127

At the request of Mr. REED, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 127, a bill to support library infrastructure.

S. 194

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 194, a bill to amend title 10, United States Code, to provide treatment for eating disorders for dependents of members of the uniformed services.

S. 295

At the request of Mr. RUBIO, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 295, a bill to designate residents of the Hong Kong Special Administrative Region as Priority 2 refugees of special humanitarian concern, and for other purposes.

S. 324

At the request of Ms. SMITH, her name was added as a cosponsor of S. 324, a bill to report data on COVID-19 in Federal, State, and local correctional facilities, and for other purposes.

S. 375

At the request of Mr. MENENDEZ, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 375, a bill to impose requirements on the payment of compensation to professional persons employed in voluntary cases commenced under title III of the Puerto Rico Oversight Management and Economic Stability Act (commonly known as "PROMESA").

S. 449

At the request of Mr. CARDIN, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 449, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain federally-subsidized loan repayments for dental school faculty.

S. 452

At the request of Ms. STABENOW, the names of the Senator from Virginia (Mr. Kaine), the Senator from California (Mr. PADILLA), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 452, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

S. 488

At the request of Mr. HAGERTY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 488, a bill to provide for congressional review of actions to terminate or waive sanctions imposed with respect to Iran.

S. 539

At the request of Mrs. CAPITO, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 539, a bill to direct the Secretary of Veterans Affairs to submit to Congress a report on the use of video cameras for patient safety and law enforcement at medical centers of the Department of Veterans Affairs.

S. 553

At the request of Mr. LEE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 553, a bill to require the National Telecommunications and Information Administration to estimate the value of electromagnetic spectrum assigned or otherwise allocated to Federal entities.

S. 598

At the request of Ms. WARREN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 598, a bill to authorize additional monies to the Public Housing Capital Fund of the Department of Housing and Urban Development, and for other purposes.

S. 610

At the request of Mr. Kaine, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 610, a bill to address behavioral health and well-being among health care professionals.

S. 617

At the request of Mr. THUNE, the names of the Senator from Indiana (Mr. BRAUN), the Senator from Utah (Mr. LEE) and the Senator from Alabama (Mr. TUBERVILLE) were added as cosponsors of S. 617, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 634

At the request of Ms. COLLINS, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 634, a bill to support and expand civic engagement and political leadership of adolescent girls around the world, and other purposes.

S. 650

At the request of Ms. CORTEZ MASTO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 650, a bill to enable the payment of certain officers and employees of the United States whose employment is authorized pursuant to a grant of deferred action, deferred enforced departure, or temporary protected status.

S. 681

At the request of Ms. SMITH, her name was added as a cosponsor of S. 681, a bill to report data on COVID-19 immigration detention facilities and local correctional facilities that contract with U.S. Immigration and Customs Enforcement, and for other purposes.

S. 715

At the request of Mr. LEE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 715, a bill to amend the National Environmental Policy Act of 1969 to require the submission of certain reports, and for other purposes.

S. 717

At the request of Mr. LEE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 717, a bill to amend the National Environmental Policy Act of 1969 to impose time limits on the completion of certain required actions under the Act, and for other purposes.

S. 721

At the request of Mr. LEE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 721, a bill to amend the National Environmental Policy Act of 1969 to impose time limits on the completion of certain required actions under the Act, and for other purposes.

S. 730

At the request of Mr. BRAUN, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Tennessee (Mr. HAGERTY) were added as

cosponsors of S. 730, a bill to amend title VI of the Social Security Act to remove the prohibition on States and territories against lowering their taxes.

S. 738

At the request of Ms. DUCKWORTH, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 738, a bill to provide for grants for States that require fair and impartial police training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, and for other purposes.

S. 748

At the request of Mrs. SHAHEEN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 748, a bill to provide for an extension of the temporary suspension of Medicare sequestration during the COVID-19 public health emergency.

S. 754

At the request of Ms. BALDWIN, the names of the Senator from Maine (Mr. KING) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 754, a bill to provide health insurance benefits for outpatient and inpatient items and services related to the diagnosis and treatment of a congenital anomaly or birth defect.

S. 810

At the request of Mr. TESTER, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 810, a bill to amend title 38, United States Code, to expand the list of diseases associated with exposure to certain herbicide agents for which there is a presumption of service connection for veterans who served in the Republic of Vietnam to include hypertension, and for other purposes.

S. 815

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 815, a bill to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

S. RES. 34

At the request of Mr. MENENDEZ, the names of the Senator from Indiana (Mr. YOUNG) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. Res. 34, a resolution recognizing the 200th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

S. RES. 97

At the request of Mr. RISCH, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of

S. Res. 97, a resolution calling on the Government of Ethiopia, the Tigray People's Liberation Front, and other belligerents to cease all hostilities, protect human rights, allow unfettered humanitarian access, and cooperate with independent investigations of credible atrocity allegations pertaining to the conflict in the Tigray Region of Ethiopia.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. BURR (for himself and Mr. KING):

S. 821. A bill to amend the Higher Education Act of 1965 to establish a simplified income-driven repayment plan, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BURR. Mr. President, for two Congresses, Angus King and I have introduced bipartisan legislation to streamline and simplify student loan repayment programs. Our proposal would make the current, overly-complicated loan repayment programs easier to navigate and more predictable for both borrowers and the Federal Government.

Today, students are asked to choose between nine different loan repayment plans, each with different eligibility and income requirements. The uncertainty created by too many competing options has made it nearly impossible for the Federal Government to accurately fund the program, leading to billions of dollars in budget shortfalls.

Just last year, the Office of Management and the Budget said the Direct Loan Program would cost \$64 billion more than previously anticipated in just a single fiscal year prior to the COVID-19 emergency. The COVID-19 emergency caused \$39 billion in additional unplanned for costs to the program through congressional and administrative actions. This is unsustainable, and it is unnecessary.

We need to make it easier for student borrowers to find the best repayment plan that works for them, and we need to make it easier for the Federal Government to accurately account for a program on which so many students depend. The REPAY Act would do just that, and I am here again to introduce this commonsense proposal to help all new borrowers, which represents approximately 20 percent of Federal student loan borrowers each year. This bill has been previously supported by a number of cosponsors, including Senators WARNER, RUBIO, COLLINS, CAPITO, SHAHEEN, CARPER, WICKER, MANCHIN, and PORTMAN.

The REPAY Act would simplify this process by establishing just two, easy-to-understand loan repayment plans.

The first is a fixed 10-year payment option, like most borrowers pay now.

The second is a simplified income-driven repayment plan, which takes into consideration how much a student borrowed versus how much they earn.

First, this plan provides forgiveness of all outstanding debt after the borrower fulfills their obligation to pay monthly on a 20-year term if the student borrowed less than the maximum undergraduate borrowing limit of \$57,500 and pay monthly on a 25-year term if the student borrowed more than the undergraduate limit.

Second, this plan provides reasonable expectations for monthly payments. Very low-income borrowers would have a zero dollar payment. No payments are required until a borrower earns above 150 percent of the poverty line, which adjusts by family size and income. Modest-income borrowers would have a very low payment equal to 10 percent of the earnings they make above 150 percent of the poverty line. Higher income borrowers would pay 10 percent on the first \$25,000 of discretionary income they earned and 15 percent on any income above that.

A single income-driven repayment plan assures students that there is a reasonable repayment plan available based on their individual earnings. It means students won't be unnecessarily discouraged from pursuing careers that may pay less but for which they have a passion, such as education or social work.

As I said, this is not the first time Senator KING and I have introduced this legislation, but there is added urgency this year because of the COVID-19 pandemic and because of the reckless proposals to simply transfer hundreds of billions in debt from individual borrowers to the Federal Government.

Last year, as the Nation struggled to combat coronavirus, Congress paused loan repayments for all borrowers through September 30, 2020. The Trump and Biden administrations then extended that pause through September 30, 2021. No borrower has been required to make a student loan payment for the last 12 months. As the American economy recovers, however, we cannot continue to pause payments indefinitely or, even worse, erase large swaths of loan balances, regardless of an individual's economic circumstance. Instead, Congress must put forward a commonsense plan that reflects the interests of student loan borrowers and American taxpayers.

I have cautioned Secretary Cardona against pursuing a dangerous proposal to simply forgive student debt through administrative action, an action which neither complies with the Federal Claims Collection Act, the Higher Education Act, or the related regulations. Not only do I think this isn't a legal idea, I don't believe it is a wise one, either. It is reckless policymaking to forgive massive amounts of existing student debt and doing so will create a profound moral hazard. What happens after existing debt is forgiven? Will colleges magically lower their tuition and fees, so no student ever needs to borrow again, or will colleges continue to charge for their services, and will

students load right back up on exorbitant debt that 5, 10, or 30 years from now the American taxpayer will be asked to write off once again? This is an unserious gambit that doesn't come close to addressing the real drivers of student debt.

Rather than a flash-in-the-pan trick, I propose that we take up a durable policy solution, which includes the commonsense, bipartisan legislation that Senator ANGUS KING and I are advocating. Our proposal helps ensure student loan repayment programs are understandable and workable for future students who need them. As ranking member of the Education Committee, I will work with our committee's chairman to move this legislation forward. I hope that we will find a willing partner in the White House and at the Department of Education.

By Mr. THUNE (for himself, Mr. MURPHY, Mr. BARRASSO, Mrs. CAPITO, Mr. CRAMER, Mr. KING, Ms. MURKOWSKI, Mr. ROUNDS, and Mr. WICKER):

S. 844. A bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care; to the Committee on Finance.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 844

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Personal Health Investment Today Act of 2021" or the "PHIT Act of 2021".

#### SEC. 2. PURPOSE.

The purpose of this Act is to promote health and prevent disease, particularly diseases related to being overweight or obese, by—

- (1) encouraging healthier lifestyles;
- (2) providing financial incentives to ease the financial burden of engaging in healthy behavior; and
- (3) increasing the ability of individuals and families to participate in physical fitness activities.

#### SEC. 3. CERTAIN AMOUNTS PAID FOR PHYSICAL ACTIVITY, FITNESS, AND EXERCISE TREATED AS AMOUNTS PAID FOR MEDICAL CARE.

(a) IN GENERAL.—Paragraph (1) of section 213(d) of the Internal Revenue Code of 1986 is amended by striking "or" at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting ", or", and by inserting after subparagraph (D) the following new subparagraph:

"(E) for qualified sports and fitness expenses."

(b) QUALIFIED SPORTS AND FITNESS EXPENSES.—Subsection (d) of section 213 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(12) QUALIFIED SPORTS AND FITNESS EXPENSES.—

"(A) IN GENERAL.—The term 'qualified sports and fitness expenses' means amounts

paid exclusively for the sole purpose of participating in a physical activity including—

“(i) for membership at a fitness facility,

“(ii) for participation or instruction in physical exercise or physical activity, or

“(iii) for equipment used in a program (including a self-directed program) of physical exercise or physical activity.

“(B) OVERALL DOLLAR LIMITATION.—The aggregate amount treated as qualified sports and fitness expenses with respect to any taxpayer for any taxable year shall not exceed \$1,000 (\$2,000 in the case of a joint return or a head of household (as defined in section 2(b))).

“(C) FITNESS FACILITY.—For purposes of subparagraph (A)(i), the term ‘fitness facility’ means a facility—

“(i) which provides instruction in a program of physical exercise, offers facilities for the preservation, maintenance, encouragement, or development of physical fitness, or serves as the site of such a program of a State or local government,

“(ii) which is not a private club owned and operated by its members,

“(iii) which does not offer golf, hunting, sailing, or riding facilities,

“(iv) the health or fitness component of which is not incidental to its overall function and purpose, and

“(v) which is fully compliant with the State of jurisdiction and Federal anti-discrimination laws.

“(D) TREATMENT OF EXERCISE VIDEOS, ETC.—Videos, books, and similar materials shall be treated as described in subparagraph (A)(ii) if the content of such materials constitutes instruction in a program of physical exercise or physical activity.

“(E) LIMITATIONS RELATED TO SPORTS AND FITNESS EQUIPMENT.—Amounts paid for equipment described in subparagraph (A)(iii) shall be treated as qualified sports and fitness expenses only—

“(i) if such equipment is utilized exclusively for participation in fitness, exercise, sport, or other physical activity,

“(ii) in the case of amounts paid for apparel or footwear, if such apparel or footwear is of a type that is necessary for, and is not used for any purpose other than, a specific physical activity, and

“(iii) in the case of amounts paid for any single item of sports equipment (other than exercise equipment), to the extent such amounts do not exceed \$250.

“(F) PROGRAMS WHICH INCLUDE COMPONENTS OTHER THAN PHYSICAL EXERCISE AND PHYSICAL ACTIVITY.—Rules similar to the rules of paragraph (6) shall apply in the case of any program that includes physical exercise or physical activity and also other components. For purposes of the preceding sentence, travel and accommodations shall be treated as a separate component.”.

(C) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

By Mrs. FEINSTEIN (for herself and Mr. GRASSLEY):

S. 854. A bill to designate methamphetamine as an emerging threat, and for other purposes; to the Committee on the Judiciary.

Ms. FEINSTEIN. Mr. President, nationally, psychostimulant overdose deaths, including methamphetamine-related deaths, increased by nearly 42% between July 2019 and July 2020. This increase is second only to synthetic opioids, a category which includes fentanyl.

My home State of California has been particularly hard hit. Between 2014 and

2019, methamphetamine-caused deaths in San Diego increased from 262 to 546, a stunning 108 percent increase in just five years. Similarly, in Los Angeles County, methamphetamine was involved in 44 percent of all drug overdose deaths in 2018.

Unfortunately, these figures are not unique to California, as other localities throughout the country are also seeing increases.

That is why I am introducing the Methamphetamine Response Act, which was passed by the Senate unanimously during the last session of Congress, with my colleague, Senator GRASSLEY.

This bill does two things. First, it declares methamphetamine an emerging drug threat. Second, it requires the Office of National Drug Control Policy (ONDCP) to develop and implement a national plan that is specific to methamphetamine, in accordance the ONDCP Reauthorization, which I was proud to co-author, and which was enacted in 2018 as part of the SUPPORT Act.

This plan must include: An assessment of the methamphetamine threat, including the current availability of, and demand for, the drug, and the effectiveness of evidence-based prevention and treatment programs, as well as law enforcement programs;

Short- and long-term goals focused on supply and demand reduction and the expansion of prevention and treatment programs;

Performance measures related to the plan's goals; and

The level of funding needed to implement the plan, including an assessment of whether available funding can be reprogrammed or transferred, or whether additional funds are needed.

It is clear that methamphetamine is re-emerging as a major drug threat to our Nation:

Data shows that methamphetamine use is no longer limited to Mid-West and Western States, but is increasingly prevalent in Northeastern States.

Between 2018 and 2019, psychostimulant overdose deaths, including methamphetamine deaths, increased in 27 of the 38 States that provide drug-specific data to the Centers for Disease Control and Prevention. This amounts to a 27 percent increase nationally.

Methamphetamine continues to be highly potent, pure, and cheap. By the end of 2019, its availability and use had both increased.

Between 2016 and 2019, the number of individuals aged 12 and older with a methamphetamine use disorder increased from 684,000 to one million. That's a 46 percent increase in just three years.

Emergency room admissions for suspected stimulant overdoses, including methamphetamine, increased by 23 percent between January 2019 and 2020. These increases occurred in 36 States and the District of Colombia.

Two of the largest methamphetamine seizures on record occurred in 2019:

U.S. Customs and Border Protection (CBP) seized 3,000 pounds of methamphetamine at the port of Otay Mesa while the Drug Enforcement Administration seized 2,224 pounds of methamphetamine in Riverside County. Both of these seizures were in California.

Given the increasing size of these seizures, it is not surprising that in the first five months of fiscal year 2021, CBP has already seized more than 75,000 pounds of methamphetamine.

In a one year span, psychostimulants, including methamphetamine, killed more than 21,000 Americans. Absent immediate action and a comprehensive plan, these fatalities will continue to increase.

I look forward to working with my colleagues in the Senate and in the House to see Methamphetamine Response Act enacted.

Thank you, Mr. President. I yield the floor.

By Mr. Kaine (for himself, Mr. PORTMAN, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BRAUN, Mr. BROWN, Mrs. CAPITO, Mr. CARDIN, Ms. COLLINS, Mr. COONS, Mr. CRAMER, Ms. DUCKWORTH, Ms. ERNST, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HOEVEN, Mr. KELLY, Mr. KING, Ms. KLOBUCHAR, Mr. MARSHALL, Mr. MORAN, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. WICKER, Mr. SULLIVAN, and Mr. INHOFE):

S. 864. A bill to extend Federal Pell Grant eligibility of certain short-term programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. Kaine. Mr. President. In today's economy, ensuring access to a variety of postsecondary programs has become even more critical in light of the COVID-19 pandemic. As of the end of 2020, more than 10 million Americans were unemployed, and 3.7 million of those individuals have suffered permanent job loss. These workers will need access to postsecondary education and training to reskill and reenter the workforce. Notably, according to a poll conducted by Strada in June of 2020, Americans strongly prefer nondegree and skills training programs over degree programs as a way to access postsecondary credentials during and post-pandemic.

However, when it comes to higher education, Federal policies are not doing enough to support the demands of the changing labor market. Many of the individuals who enter into skills and job training programs are at the lowest end of the socioeconomic level, yet simply because their goal is to enter the workforce rather than obtain a degree, they are denied access Federal financial aid. The Federal Pell Grant Program—needs-based grants for low-income and king students—can only be used to offset the cost of programs that are over 600 clock hours or



at least 15 weeks in length. While many short-term programs provide high-quality skills training that employers need and recognize, they are not Pell-eligible.

Since the creation of the Pell grant, the profile of today's students has evolved along with the types of postsecondary education and training programs students look to enroll in. Today, 37 percent of all postsecondary students are 25 years of age or older, 68 percent work full-or-part-time while attending school and 26 percent have children or dependents. While many of these students enroll in longer-term degree programs, a significant number seek out shorter-term, workforce-oriented training programs that lead to in-demand jobs or stack to longer-term education pathways. These short-term programs allow them to advance their education and skills in a manner that works with their life-situation of working and caring for children and other dependents. Without such programs, many of these students cannot devote the four plus years that many part-time students must spend to get an associates degree, or six plus years to earn a four year degree. Our federal higher education policy must be modernized to meet the needs of students and employers. According to the Georgetown University Center on Education and the Workforce, shorter-term educational investments pay off—the average postsecondary certificate holder has 30 percent higher lifetime earnings than individuals with only a high school diploma.

Today, I am pleased to introduce with my colleague, Senator PORTMAN, the Jumpstart Our Businesses by Supporting Students or JOBS Act. The JOBS Act would close extend Pell Grant eligibility to high-quality, short-term job training programs offered at community colleges and other public institutions, so workers can afford the instruction they need to be successful in today's job market. Under the legislation, Pell-eligible job training programs are defined as those providing at least 150 clock hours of instruction time over a minimum of 8 weeks. Eligible job training programs must also provide students with licenses, certifications, or credentials that meet the hiring requirements of multiple employers in the field for which the job training is offered.

The JOBS Act also ensures that students enrolling in Pell-eligible short-term programs are earning high-quality postsecondary credentials by requiring that the credentials meet the standards of the Workforce Innovation and Opportunity Act, are recognized by industry or sector partnerships, and align with the skill needs of industries in States or local economies. Job training programs under this Act must also be evaluated by an accreditor and the State workforce board for quality and outcomes. The Virginia Community College System has identified approximately 50 programs that would benefit

from the JOBS Act including in the fields of manufacturing, maritime, architecture/construction, energy, health care, information technology, transportation, and business management and administration.

The JOBS Act is a commonsense, bipartisan bill that would help workers and employers succeed in today's economy. As Congress works to help Americans recover from pandemic job losses, I am hopeful that my colleagues will join me in advocating for Pell Grants to be made available to individuals enrolling in high-quality, short-term training programs that lead to industry-recognized credentials and good paying jobs.

By Mr. DURBIN:

S. 873. A bill to establish the Climate Change Advisory Commission to develop recommendations, frameworks, and guidelines for projects to respond to the impacts of climate change, to issue Federal obligations, the proceeds of which shall be used to fund projects that aid in adaptation to climate change, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 873

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Climate Change Resiliency Fund for America Act of 2021”.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

#### TITLE I—CLIMATE CHANGE ADVISORY COMMISSION

Sec. 101. Establishment of Climate Change Advisory Commission.

Sec. 102. Duties.

Sec. 103. Commission personnel matters.

Sec. 104. Funding.

Sec. 105. Termination.

#### TITLE II—CLIMATE CHANGE RESILIENCY FUND

Sec. 201. Climate Change Resiliency Fund.

Sec. 202. Compliance with Davis-Bacon Act.

Sec. 203. Funding.

#### TITLE III—REVENUE

Sec. 301. Climate Change Obligations.

Sec. 302. Promotion.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term “Commission” means the Climate Change Advisory Commission established by section 101(a).

(2) COMMUNITY OF COLOR.—The term “community of color” means a geographically distinct area in which the population of any of the following categories of individuals is higher than the average populations of that category for the State in which the community is located:

- (A) Black.
- (B) African American.
- (C) Asian.
- (D) Pacific Islander.
- (E) Other non-White race.
- (F) Hispanic.

(G) Latino.

(H) Linguistically isolated.

(3) ELIGIBLE ENTITY.—The term “eligible entity” includes—

(A) a Federal agency;

(B) a State or group of States;

(C) a unit of local government or a group of local governments;

(D) a utility district;

(E) a Tribal government or a consortium of Tribal governments;

(F) a State or regional transit agency or a group of State or regional transit agencies;

(G) a nonprofit organization;

(H) a special purpose district or public authority, including a port authority; and

(I) any other entity, as determined by the Secretary.

(4) ENVIRONMENTAL JUSTICE COMMUNITY.—The term “environmental justice community” means a community with significant representation of communities of color, low-income communities, or Tribal and indigenous communities that experiences, or is at risk of experiencing, higher or more adverse human health or environmental effects.

(5) FRONTLINE COMMUNITY.—The term “frontline community” means a low-income community, a community of color, or a Tribal community that is disproportionately impacted or burdened by climate change or a phenomenon associated with climate change, including such a community that was or is at risk of being disproportionately impacted or burdened by climate change or a phenomenon associated with climate change earlier than other such communities.

(6) FUND.—The term “Fund” means the Climate Change Resiliency Fund established by section 201(a)(1).

(7) LOW-INCOME COMMUNITY.—The term “low-income community” means any census block group in which 30 percent or more of the population are individuals with an annual household income equal to, or less than, the greater of—

(A) an amount equal to 80 percent of the median household income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

(B) 200 percent of the Federal poverty line.

(8) PROJECT.—The term “project” means a project for a qualified climate change adaptation purpose performed by an eligible entity under section 201(b).

(9) QUALIFIED CLIMATE CHANGE ADAPTATION PURPOSE.—

(A) IN GENERAL.—The term “qualified climate change adaptation purpose” means an objective with a demonstrated intent to reduce the economic, social, and environmental impact of the adverse effects of climate change.

(B) INCLUSIONS.—The term “qualified climate change adaptation purpose” includes infrastructure resiliency and mitigation, improved disaster response, and ecosystem protection, which may be accomplished through activities or projects with objectives such as—

(i) reducing risks or enhancing resilience to sea level rise, extreme weather events, fires, drought, flooding, heat island impacts, or worsened indoor or outdoor air quality;

(ii) protecting farms and the food supply from climate impacts;

(iii) reducing risks of food insecurity that would otherwise result from climate change;

(iv) ensuring that disaster and public health plans account for more severe weather;

(v) reducing risks from geographical change to disease vectors, pathogens, invasive species, and the distribution of pests; and

(vi) other projects or activities, as determined to be appropriate by the Commission.

(10) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(11) STATE.—The term “State” means a State, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

#### **TITLE I—CLIMATE CHANGE ADVISORY COMMISSION**

##### **SEC. 101. ESTABLISHMENT OF CLIMATE CHANGE ADVISORY COMMISSION.**

(a) IN GENERAL.—There is established a commission to be known as the “Climate Change Advisory Commission”.

(b) MEMBERSHIP.—The Commission shall be composed of 11 members—

(1) who shall be selected from the public and private sectors and institutions of higher education; and

(2) of whom—

(A) 3 shall be appointed by the President, in consultation with the National Climate Task Force;

(B) 2 shall be appointed by the Speaker of the House of Representatives;

(C) 2 shall be appointed by the minority leader of the House of Representatives;

(D) 2 shall be appointed by the majority leader of the Senate; and

(E) 2 shall be appointed by the minority leader of the Senate.

(c) TERMS.—Each member of the Commission shall be appointed for the life of the Commission.

(d) INITIAL APPOINTMENTS.—Each member of the Commission shall be appointed not later than 90 days after the date of enactment of this Act.

(e) VACANCIES.—A vacancy on the Commission—

(1) shall not affect the powers of the Commission; and

(2) shall be filled in the manner in which the original appointment was made.

(f) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(g) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(h) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(i) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

##### **SEC. 102. DUTIES.**

The Commission shall—

(1) establish recommendations, frameworks, and guidelines for a Federal investment program funded by revenue from climate change obligations issued under section 301 for eligible entities that—

(A) improve and adapt energy, transportation, water, and general infrastructure impacted or expected to be impacted due to climate variability; and

(B) integrate best available science, data, standards, models, and trends that improve the resiliency of infrastructure systems described in subparagraph (A); and

(2) in consultation with the Council on Environmental Quality and the White House Environmental Justice Interagency Council, identify categories of the most cost-effective investments and projects that emphasize multiple benefits to human health, commerce, and ecosystems while ensuring that the Commission engages in early and meaningful community stakeholder involvement opportunities during the development of the recommendations, frameworks, and guidelines established under paragraph (1).

##### **SEC. 103. COMMISSION PERSONNEL MATTERS.**

(a) COMPENSATION OF MEMBERS.—

(1) NON-FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(2) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(b) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate such personnel as are necessary to enable the Commission to perform the duties of the Commission.

(2) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Chairperson of the Commission may fix the compensation of personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) MAXIMUM RATE OF PAY.—The rate of pay for personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

##### **SEC. 104. FUNDING.**

The Commission shall use amounts in the Fund to pay for all administrative expenses of the Commission.

##### **SEC. 105. TERMINATION.**

The Commission shall terminate on such date as the Commission determines after the Commission carries out the duties of the Commission under section 102.

#### **TITLE II—CLIMATE CHANGE RESILIENCY FUND**

##### **SEC. 201. CLIMATE CHANGE RESILIENCY FUND.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Treasury of the United States the “Climate Change Resiliency Fund”.

(2) USE OF AMOUNTS.—

(A) IN GENERAL.—The Secretary shall use not less than 40 percent of the amounts in the Fund to fund projects that benefit communities that experience disproportionate impacts from climate change, including environmental justice communities, frontline communities, and low-income communities.

(B) MAINTENANCE OF EFFORT.—All amounts deposited in the Fund in accordance with section 301(a) shall only be used—

(i) to fund new projects in accordance with this section; and

(ii) for administrative expenses of the Commission authorized under section 104.

(3) RESPONSIBILITY OF SECRETARY.—The Secretary shall take such action as the Secretary determines necessary to assist in implementing the Fund in accordance with this section.

(b) CLIMATE CHANGE ADAPTATION PROJECTS.—The Secretary, in consultation with the Commission, shall carry out a pro-

gram to provide funds to eligible entities to carry out projects for a qualified climate change adaptation purpose.

(c) APPLICATIONS.—

(1) IN GENERAL.—An eligible entity desiring funds under subsection (b) shall, with respect to a project, submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) CONTENTS.—An application submitted by an eligible entity under this subsection shall include data relating to any benefits the eligible entity expects the project to provide to the community in which the applicable project is performed, such as—

(A) an economic impact; or

(B) improvements to public health.

(3) TECHNICAL ASSISTANCE.—The Secretary shall offer technical assistance to eligible entities preparing applications under this subsection.

(d) SELECTION.—

(1) IN GENERAL.—The Secretary shall select eligible entities to receive funds to carry out projects under this section based on criteria and guidelines determined and published by the Commission under section 102.

(2) PRIORITY.—In selecting eligible entities under paragraph (1), the Secretary shall give priority to eligible entities planning to perform projects that will serve areas with the greatest need.

(e) NON-FEDERAL FUNDING REQUIREMENT.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), in order to receive funds under this section, an eligible entity shall provide funds for a project in an amount that is equal to not less than 25 percent of the amount of funds provided under this section.

(2) WAIVER.—The Secretary may waive all or part of the matching requirement under paragraph (1) for an eligible entity, especially an eligible entity performing a project benefitting a low-income community or an environmental justice community, if the Secretary determines that—

(A) there are no reasonable means available through which the eligible entity can meet the matching requirement; or

(B) the probable benefit of the project outweighs the public interest of the matching requirement.

(3) NO-MATCH PROJECTS.—

(A) IN GENERAL.—The Secretary shall award not less than 10 percent and not more than 40 percent of the total funds awarded under this section to eligible entities to which the matching requirement under paragraph (1) shall not apply.

(B) PRIORITY.—The Secretary shall give priority for funding under subparagraph (A) to an eligible entity performing a project in a community experiencing a disproportionate impact of climate change, including—

(i) an environmental justice community;

(ii) a low-income community; or

(iii) a community of color.

(f) APPLICABILITY OF FEDERAL LAW.—Nothing in this Act shall be construed to waive the requirements of any Federal law or regulation that would otherwise apply to a project that receives funds under this section.

##### **SEC. 202. COMPLIANCE WITH DAVIS-BACON ACT.**

(a) IN GENERAL.—All laborers and mechanics employed by contractors and subcontractors on projects funded directly by, or assisted in whole or in part by and through, the Fund shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of title 40, United States Code.

(b) LABOR STANDARDS.—With respect to the labor standards described in this section, the

Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

#### SEC. 203. FUNDING.

To carry out the program under section 201(b), the Secretary, in addition to amounts in the Fund, may use amounts that have been made available to the Secretary and are not otherwise obligated.

### TITLE III—REVENUE

#### SEC. 301. CLIMATE CHANGE OBLIGATIONS.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of the Treasury or the Secretary's delegate (referred to in this title as the "Secretary") shall issue obligations under chapter 31 of title 31, United States Code (referred to in this title as "climate change obligations"), the proceeds from which shall be deposited in the Fund.

(b) FULL FAITH AND CREDIT.—Payment of interest and principal with respect to any climate change obligation issued under this section shall be made from the general fund of the Treasury of the United States and shall be backed by the full faith and credit of the United States.

(c) EXEMPTION FROM LOCAL TAXATION.—All climate change obligations issued by the Secretary, and the interest on or credits with respect to such obligations, shall not be subject to taxation by any State, county, municipality, or local taxing authority.

(d) AMOUNT OF CLIMATE CHANGE OBLIGATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the aggregate face amount of the climate change obligations issued annually under this section shall be \$200,000,000.

(2) ADDITIONAL OBLIGATIONS.—For any calendar year in which all of the obligations issued pursuant to paragraph (1) have been purchased, the Secretary may issue additional climate change obligations during such calendar year, provided that the aggregate face amount of such additional obligations does not exceed \$800,000,000.

(e) FUNDING.—The Secretary shall use funds made available to the Secretary and not otherwise obligated to carry out the purposes of this section.

#### SEC. 302. PROMOTION.

(a) IN GENERAL.—The Secretary shall promote the purchase of climate change obligations through such means as are determined appropriate by the Secretary, with the amount expended for such promotion not to exceed \$10,000,000 for any fiscal year during the period of fiscal years 2022 through 2026.

(b) DONATED ADVERTISING.—In addition to any advertising paid for with funds made available under subsection (c), the Secretary shall solicit and may accept the donation of advertising relating to the sale of climate change obligations.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year during the period of fiscal years 2022 through 2026, there is authorized to be appropriated \$10,000,000 to carry out the purposes of this section.

By Ms. COLLINS (for herself and Ms. SMITH):

S. 876. A bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Ms. COLLINS. Mr. President, I rise to introduce School Food Moderniza-

tion Act to assist our schools in updating outdated kitchen equipment, allowing them to provide healthier meals to students. I also thank my colleague from Minnesota, Senator SMITH, for cosponsoring this bill.

School meals play a vital role in the lives of so many of our children. As one school nutrition director from Maine recently told me, school meals are the "foundation for student success." Nearly 100,000 schools participate in the National School Lunch program, serving 30 million children each day, helping to prevent hunger. Many children consume up to half their daily caloric intake at school, and some get their most nutritious meals of the day at school instead of at home. Because school meals are a significant source of daily nutrition for so many, we must consistently aim to improve the program to best serve students.

The COVID-19 pandemic has further highlighted the importance of school meals for many families. Across the country, schools and nutrition programs were adapted to remote and hybrid learning models during the pandemic. Nutrition programs in Maine and other states have tirelessly continued to support the nutritional needs of students despite school closures, with many schools offering as many as four or five meal delivery options to ensure families can continue to access food seven days a week. I met recently with school nutrition directors from Maine who said lack of equipment, including access to cold storage, has forced them to be even more creative in continuing to serve children across Maine during COVID-19. Many schools are using stoves from the 1960s and others lack adequate storage facilities to store the large amount of food needed to provide multi-day bulk meal bags for children and families who are learning remotely or attending school only part-time.

The fact is schools built decades ago often lack the equipment and infrastructure necessary to do more than reheat and serve one or two meal options each day. Even before the pandemic, nearly 90 percent of schools needed at least one piece of updated school kitchen equipment. It is estimated that Maine schools alone would need \$58.8 million for equipment infrastructure upgrades needed to serve healthy meals to all of our students. The Agriculture Appropriations Subcommittee, on which I serve, has consistently recognized this need and appropriated \$30 million for School Equipment Assistance Grants last year. The School Food Modernization Act would codify and improve this successful grant program to better meet the growing need nationwide.

The School Food Modernization Act seeks to help school food service personnel offer a wide variety of nutritious and appealing meals to all students. First, the bill would provide targeted grant assistance to supply the seed funding needed to upgrade kitchen infrastructure or to purchase high-

quality equipment. Second, it would establish a loan guarantee assistance program within USDA to help schools acquire new equipment. Finally, to aid school food services personnel in running successful, healthy programs, the legislation would authorize grants to support training and technical assistance for food service personnel.

Mr. President, I encourage my colleagues to continue supporting school kitchen equipment needs as the Child Nutrition Reauthorization process takes shape. If our children are going to be able to learn and meet their full potential, they need their minds and bodies to be fully nourished. This bill would help us achieve that goal.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 122—RE-AFFIRMING THE IMPORTANCE OF UNITED STATES ALLIANCES AND PARTNERSHIPS

Mr. RISCH (for himself and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 122

Whereas, from the American Revolution, through two World Wars, the Cold War, and the fight against international terrorist organizations, the United States has successfully relied on alliances and partnerships with like-minded countries to further our vital security, political, and economic interests, starting with the Treaty of Alliance with France in 1778 and continuing to the present day;

Whereas these treaty alliances provide a unique strategic advantage to the United States and are among the Nation's most precious assets, enabling the United States to advance its vital national interests, defend its territory, expand its economy through international trade and commerce, establish enduring cooperation among like-minded countries, prevent the domination of Europe or the Indo-Pacific and its surrounding maritime and air lanes by a hostile power or powers, and deter potential aggressors;

Whereas United States treaty alliances advance critical shared interests, including upholding regional stability and security, deterring adversaries, maintaining maritime freedom of navigation, promoting global economic prosperity, combating the proliferation of weapons of mass destruction, supporting international institutions and architecture, advancing democracy, human rights, and the rule of law, upholding international law, and promoting shared values and norms;

Whereas the combined strength conferred by treaty alliances enables the United States and its allies to leverage a multinational response to important challenges and advance joint initiatives that tackle global problems with a unity of purpose;

Whereas, after the end of the Second World War, the United States Government strategically invested in building a global network of alliances and partnerships, including through the Marshall Plan in Europe and with our post-war partners in Asia, which helped these countries grow into democratic, prosperous, peaceful nations with whom the United States could effectively partner;

Whereas the United States-Japan, United States-Republic of Korea, United States-Australia, United States-Philippines, and United

States-Thailand alliances are the foundation of regional stability in the Indo-Pacific;

Whereas the United States greatly values other partnerships in the Indo-Pacific region, including with India, Singapore, Indonesia, Taiwan, New Zealand, and Vietnam;

Whereas the United States maintains an unwavering commitment to the defense of Japan under Article 5 of the United States-Japan security treaty, which includes the Senkaku Islands, as recently reaffirmed by President Joseph R. Biden;

Whereas the United States-Japan alliance is one of the most important political, economic, and military alliances in the world, and is crucial to maintaining a favorable balance of power in the Indo-Pacific region and advancing a free and open region characterized by a commitment to democratic governance, the free flow of commerce, and shared rules and norms;

Whereas the United States-Republic of Korea alliance is essential for peace and prosperity in Northeast Asia and critical to closely coordinating to face the challenges posed by the Democratic People's Republic of Korea;

Whereas the United States-Australia alliance remains an anchor of stability in the Indo-Pacific and the world, while Australia's 2020 Defense Strategic Update and 2020 Force Structure Plan recognize and respond to Australia's evolving strategic threat environment, including by committing to boost its defense spending by 40 percent over the next decade and to bolster its high-end military capabilities, which provides further opportunities for the United States and Australia to boost cooperation on defense and strategic and emerging technologies;

Whereas a strong United States-Philippine alliance is vital to a free and open Indo-Pacific region, the Mutual Defense Treaty (MDT) is important for the security of both nations, and Secretary of State Antony Blinken has reaffirmed former Secretary of State Michael R. Pompeo's March 2019 statement regarding the clear application of the MDT to armed attacks against Philippine armed forces, public vessels, or aircraft in the Pacific, which includes the South China Sea;

Whereas the Philippines is of unique geostrategic importance, is a crucial partner in the areas of counterterrorism and maritime security, and plays an important role in upholding regional security in the South and West Pacific, including the First and Second Island Chains, and a strong relationship between the United States military and the Armed Forces of the Philippines, solidified through agreements such as the Enhanced Defense Cooperation Agreement and the Visiting Forces Agreement, is in the national interests of both the Philippines and the United States;

Whereas the United States and Thailand are increasing their defense cooperation to advance shared interests in the Indo-Pacific;

Whereas the United States has an opportunity to strengthen its relationships, including defense relationships, with treaty allies and other partners in Southeast Asia, especially through cooperation that enables these partners to better contend with infringements on their sovereignty, including by encouraging allies to make specific investments to enhance their area denial and mobile defense-in-depth capabilities;

Whereas, in 1949, the United States joined with several European countries to conclude the North Atlantic Treaty, which formed a basis for the North Atlantic Treaty Organization (NATO), in order "to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of

law" and to "promote stability and well-being in the North Atlantic area";

Whereas 30 European and North American nations are members of NATO, and all signatories to the North Atlantic Treaty have "resolved to unite their efforts for collective defence and for the preservation of peace and security";

Whereas, following the terrorist attacks of September 11, 2001, the NATO alliance invoked Article 5 of the North Atlantic Treaty for the first and only time, reaffirming that an armed attack against one member of the alliance shall be considered an attack against all;

Whereas NATO serves as a force multiplier, reducing the burden borne by the United States, has command structures, training institutions, and multilateral exercises that have generated unprecedented contributions to United States national security priorities and enabled NATO soldiers to serve alongside members of the United States Armed Forces, including through NATO's ongoing support of Operation Resolute Support in Afghanistan, NATO's Kosovo Force, Operation Sea Guardian in the Mediterranean Sea, the capacity-building NATO Mission Iraq, support for African Union missions, and air policing missions in member and nonmember nations of Eastern Europe, and has taken a strong stand against Russian aggression in Eastern Europe;

Whereas, in his February 19, 2021, speech to the Munich Security Conference, President Biden reaffirmed, "The transatlantic alliance is... the strong foundation on which our collective security and our shared prosperity are built. The partnership between Europe and the United States, in my view, is and must remain the cornerstone of all that we hope to accomplish in the 21st century, just as we did in the 20th century... The United States is fully committed to our NATO Alliance, and I welcome Europe's growing investment in the military capabilities that enable our shared defense.";

Whereas previous Democratic and Republican Administrations alike have recognized that strong, healthy, and politically sustainable alliances require equitable, fair, reasonable, and mutually beneficial burden-sharing arrangements, and that the key to alliance success is a diplomatic and security posture characterized by the effective marshaling of resources and acquisition and deployment of complementary capabilities, such as the increase in defense spending by all NATO nations since the Wales Declaration of 2014, with 11 members now spending 2 percent of their GDP on defense and several more on track to meet that benchmark by 2024;

Whereas the United States' extended nuclear deterrence commitments to NATO and Indo-Pacific allies are foundational to the health, strength, and effectiveness of these alliances and to continued international security and stability;

Whereas maintaining robust United States diplomatic, economic, and defense budgets are critical to advancing cooperation with allies and partners on shared challenges, and deep and precipitous cuts in United States diplomatic, economic, and defense budgets would damage the health, robustness, and effectiveness of United States alliances;

Whereas, in a sign of our shared security objectives and cooperation, our allies and partners have hosted United States military installations and welcomed members of the United States Armed Forces;

Whereas citizens of our allies and partners have sacrificed their lives in support of efforts to combat terrorism and promote security in Afghanistan, Iraq, and elsewhere, and have contributed significant forces to our military endeavors, placing more combat

power on the battlefield, while reducing the burden borne by the United States;

Whereas the United States has worked with our allies and partners to mitigate conflict and humanitarian crises around the world, and United States allies have made significant contributions to address humanitarian, food security, health, climate-related, and other pressing challenges around the world;

Whereas the United States and its allies face an increasingly challenging security environment in the 21st century, characterized by strategic competition with revisionist powers such as the People's Republic of China and the Russian Federation, which seek to destabilize the international system;

Whereas this security environment demands United States and allied commitment to strengthening and advancing our alliances so that they are postured to meet these challenges, and will require sustained political will, concrete partnerships, economic, commercial, and technological cooperation, consistent and tangible commitments, high-level and extensive consultations on matters of mutual interest, mutual and shared cooperation in the acquisition of key capabilities important to allied defenses, and unified mutual support in the face of political, economic, or military coercion; and

Whereas successive generations of leaders of the United States and its allies have successfully managed the challenges and constraints inherent in alliances, thus ensuring that the benefits of alliances outweigh the costs: Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms the enduring commitment of the United States to our treaty allies in the Indo-Pacific region and NATO, as well as to other partners, including our treaty obligations for mutual defense;

(2) emphasizes the primary importance of the United States' relationships, alliances, and partnerships to global peace and prosperity;

(3) recognizes the many contributions that alliances and partnerships have made to advance the interests of the United States and to promote shared interests;

(4) underscores that alliances have enhanced mutual security by jointly sharing in common defense, including the defense of the United States, and that strong alliances and partnerships generate decisive and sustained United States military advantages;

(5) encourages dealing constructively with significant tensions in the United States' alliance relationships to ensure they do not create fissures that adversaries can exploit;

(6) welcomes and seeks to advance the continued collaboration of the United States and our allies and partners to respect and defend the rules-based international order and the values of democracy, human rights, and the rule of law that undergird our common security and prosperity;

(7) reaffirms bipartisan support for equitable and mutually beneficial burden-sharing arrangements, including fair and additional substantive contributions by United States allies, and acknowledges the special measures agreements (SMA) reached by the Biden Administration with Japan and the Republic of Korea, and urges ongoing consultations to consider additional allied contributions beyond the traditional SMA categories and to use these consultations as an opportunity to strengthen our alliances with these two partners;

(8) reaffirms the commitment of the United States to strengthening and boosting our alliances and partnerships in the Indo-Pacific, including to contend with China's growing power projection capabilities and use of coercive and grey-zone tactics, and to jointly develop, regulate, and monitor the

production, use, and protection of strategic and emerging technologies;

(9) encourages the Biden Administration to focus significantly on growing defense co-operation with Australia, especially in light of the country's 2020 Defense Strategic Update, and to build on United States-Japan initiatives that advance alliance defense co-operation that contributes to a free and open Indo-Pacific, and to further boost cooperation with both allies on the research, development, and regulation of strategic and emerging technologies, including defense technologies;

(10) reaffirms the commitment of the United States to the NATO alliance and to NATO efforts to counter Kremlin aggression, including military aggression and attempts to erode democratic institutions in the United States and other NATO member states;

(11) urges the Biden Administration to work with its NATO partners to advance the efforts currently underway within NATO to better prepare the alliance to confront future and emerging challenges, and to continue to encourage NATO nations to contribute more to the alliance and improve their capabilities;

(12) calls upon Indo-Pacific and NATO allies to collaborate with the United States in developing the next generation of defense technologies, including disruptive and emerging technologies, while working together to improve multilateral export controls, common standards for technology security, and norms and standards for new and emerging technologies;

(13) asks all members of NATO, including the United States, to devote significant energy to the development of a new, forward-looking strategy to replace the 2010 Strategic Concept and focus on the many emerging challenges that face the alliance, including China, Russia, and instability on Europe's southern border;

(14) calls on the Biden Administration to ensure United States policy and posture reflects the requirements of extended deterrence to preserve nonproliferation benefits, assure allies, and to deter, and if necessary, respond, across the spectrum of nuclear and nonnuclear scenarios in defense of allies and partners; and

(15) supports maintaining robust diplomatic, economic, and defense budgets as critical to advancing cooperation with allies and partners on shared challenges.

#### SENATE RESOLUTION 123—DESIGNATING MARCH 2021 AS “NATIONAL WOMEN’S HISTORY MONTH”

Mrs. FEINSTEIN (for herself, Ms. COLLINS, Ms. MURKOWSKI, Mr. MERKLEY, Mr. DURBIN, Ms. CORTEZ MASTO, Mr. MARKEY, Mr. KAINE, Ms. WARREN, Ms. KLOBUCHAR, Ms. HASSAN, Mr. MENENDEZ, Ms. DUCKWORTH, Mr. CASEY, Mr. CARDIN, Ms. CANTWELL, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. WARNER, Ms. BALDWIN, Mr. WYDEN, Ms. ERNST, Mrs. CAPITO, Mrs. SHAHEEN, Ms. ROSEN, Mr. BOOKER, Mrs. STABENOW, Mr. KING, Ms. HIRONO, Mr. HEINRICH, Ms. SINEMA, Mrs. GILLIBRAND, Ms. SMITH, Mrs. HYDE-SMITH, Mrs. FISCHER, Ms. LUMMIS, Mr. PADILLA, Mr. CARPER, and Mrs. BLACKBURN) submitted the following resolution; which was referred to the Committee on the Judiciary:

#### S. RES. 123

Whereas National Women’s History Month recognizes and spreads awareness of the importance of women in the history of the United States;

Whereas, throughout the history of the United States, whether in their homes, in their workplaces, in schools, in the courts, or during wartime, women have fought for themselves, their families, and all people of the United States;

Whereas, even from the early days of the history of the United States, Abigail Adams urged her husband to “Remember the Ladies” when representatives met for the Continental Congress in 1776;

Whereas women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in the United States;

Whereas women led the efforts to secure suffrage and equal opportunities for women, and also served in the abolitionist movement, the emancipation movement, labor movements, civil rights movements, and other causes to create a more fair and just society for all;

Whereas suffragists wrote, marched, were arrested, and ultimately succeeded in achieving—

(1) the ratification of the 19th Amendment to the Constitution of the United States, which provides, “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.”; and

(2) the enactment of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), which extended the protection of the right to vote to women of color and language minorities;

Whereas women have been and continue to be leaders in the forefront of social change efforts, business, science, government, math, art, literature, music, film, athletics, and other fields;

Whereas women now represent approximately half of the workforce of the United States;

Whereas women once were routinely barred from attending medical schools in the United States, but now are enrolling in medical schools in the United States at higher numbers than men;

Whereas women previously were turned away from law school, but now represent approximately half of law students in the United States;

Whereas, since the American Revolution, women have been vital to the mission of the Armed Forces, with more than 200,000 women serving on active duty and 2,000,000 women veterans representing every branch of service;

Whereas more than 10,000,000 women own businesses in the United States;

Whereas Jeannette Rankin of Montana was the first woman elected to the House of Representatives in 1916 and Hattie Wyatt Caraway of Arkansas was the first woman elected to the United States Senate in 1932;

Whereas Margaret Chase Smith of Maine was the first woman to serve in both Houses of Congress;

Whereas, in 2021, a record total of 144 women are serving in Congress, including 120 women in the House of Representatives and 24 women in the Senate;

Whereas President Jimmy Carter recognized March 2 through 8, 1980, as “National Women’s History Week”;

Whereas, in 1987, a bipartisan group of Senators introduced the first joint resolution to pass Congress designating “Women’s History Month”;

Whereas, in 1987, President Ronald Reagan issued a Presidential proclamation proclaiming March 1987 as “Women’s History Month”;

Whereas, in 2020, Congress passed the Smithsonian American Women’s History Museum Act (title I of division T of Public Law 116-260) to establish a national women’s history museum on or near the National Mall in Washington, DC; and

Whereas, despite the advancements of women in the United States, much remains to be done to ensure that women realize their full potential as equal members of society in the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates March 2021 as “National Women’s History Month”;

(2) recognizes the celebration of National Women’s History Month as a time to reflect on the many notable contributions that women have made to the United States; and

(3) urges the people of the United States to observe National Women’s History Month with appropriate programs and activities.

Mrs. FEINSTEIN. Mr. President, I rise today in honor of Women’s History Month to recognize the extraordinary achievements of past generations of women, and to pay tribute to the vital role they have played in the political, economic, and social development of this nation.

Women’s History Month provides a special opportunity to reflect upon women’s countless accomplishments that touch all aspects of our society—from government, to business, the arts and sciences, the military and much more. I look upon the courage our predecessors displayed with great admiration, and I continue to be inspired by those who blazed the trail for women like me.

In December of this past year, I was incredibly proud to see the Smithsonian Women’s History Museum Act, which I co-led with Senator SUSAN COLLINS, enacted into law. This law will create a long overdue, permanent museum to collect, study, and create programs that celebrate women’s experiences and contributions.

However, the last year also brought with it the loss of a number of pioneering women, including Justice Ruth Bader Ginsberg, NASA mathematician Katherine Johnson, and the brave Civil Rights Movement champion Lucille Bridges. Though these icons are no longer with us, their contributions will live on and their accomplishments have shattered glass ceilings for future generations of women. May we honor their work and memory with a commitment to elevate and support future women leaders.

This past election year marked a new high water mark for women in politics, as more women ran for and were elected to office in 2020 than ever before. Of the many notable wins, I was overjoyed to see my friend and former Senate colleague, Vice President KAMALA HARRIS, elected to the nation’s second-highest office. The election of more women to places of power is crucial for our continued progress.

I am eager to work with Vice President HARRIS and the 144 women serving in Congress in 2021 to address the challenges before us.

One of our first priorities must be to address the ongoing pandemic, which

has had devastating consequences for the health of our country and economy. The pandemic has also uniquely harmed women and girls—especially women of color. A disproportionate number of women have lost their jobs as a result of the pandemic, and are often unable to maintain work commitments with children learning from home while schools are closed. As far as we have come, this unequal harm borne by women during the pandemic reminds us of the work toward equality that is yet to be done. We must continue our work to ensure fairness and equity for women everywhere.

As we undertake to celebrate Women's History Month, I ask my colleagues to celebrate with me how far we have come and to continue the fight for the progress of all women—especially those who are struggling during these trying times.

Thank you Mr. President and I yield the floor.

#### SENATE RESOLUTION 124—CELEBRATING THE HERITAGE OF ROMANI AMERICANS

Mr. CARDIN (for himself and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 124

Whereas the Romani people trace their ancestry to the Indian subcontinent;

Whereas Roma have been a part of European immigration to the United States since the colonial period and particularly following the abolition of the enslavement of Roma in the historic Romanian principalities;

Whereas Roma live across the world and throughout the United States;

Whereas the Romani people have made distinct and important contributions in many fields, including agriculture, art, crafts, literature, medicine, military service, music, sports, and science;

Whereas, on April 8, 1971, the First World Romani Congress met in London, bringing Roma together from across Europe and the United States with the goal of promoting transnational cooperation among Roma in combating social marginalization and building a positive future for Roma everywhere;

Whereas April 8 is therefore celebrated globally as International Roma Day;

Whereas Roma were victims of genocide carried out by Nazi Germany and its Axis partners, and an estimated 200,000 to 500,000 Romani people were killed by Nazis and their allies across Europe during World War II;

Whereas, on the night of August 2-3, 1944, the so-called "Gypsy Family Camp" where Romani people were interned at Auschwitz-Birkenau was liquidated, and in a single night, between 4,200 and 4,300 Romani men, women, and children were killed in gas chambers;

Whereas many countries are taking positive steps to remember and teach about the genocide of Roma by Nazi Germany and its Axis partners; and

Whereas the United States Congress held its first hearing to examine the situation of Roma in 1994: Now, therefore, be it

*Resolved*, That the Senate—

(1) remembers the genocide of Roma by Nazi Germany and its Axis partners and commemorates the destruction of the "Gypsy Family Camp" where Romani people were interned at Auschwitz;

(2) commends the United States Holocaust Memorial Museum for its role in promoting remembrance of the Holocaust and educating about the genocide of Roma;

(3) supports International Roma Day as an opportunity to honor the culture, history, and heritage of the Romani people in the United States as part of the larger Romani global diaspora; and

(4) welcomes the Department of State's participation in ceremonies and events celebrating International Roma Day and similar engagement by the United States Government.

Mr. CARDIN. Mr. President, today, I am introducing, along with Senator WICKER, a resolution that celebrates Romani American heritage.

As a member of the U.S. Helsinki Commission and the OSCE Parliamentary Assembly Special Representative on Anti-Semitism, Racism and Intolerance, I have long worked to improve the situation of Roma throughout the OSCE region. This includes efforts to advance human rights compliant policing, ending ethnic and religious profiling, supporting diversity and inclusion in the U.S. national security workforce and human rights training for foreign service officers, and supporting free and fair elections in the OSCE participating States. I also supported the appointment of Dr. Ethel Brooks to the U.S. Holocaust Memorial Museum Council, on which I also currently serve.

The resolution we are introducing today does four things.

First, it recognizes and celebrates Romani American heritage. Roma have come to the United States with every wave of European migration since the colonial period. In the United States, there may be as many as one million Americans with some Romani ancestry, whether distant or more recent. Romani people have made distinct and important contributions in many fields, including agriculture, art, crafts, literature, medicine, military service, music, sports, and science.

Second, it supports International Roma Day and the Department of State's robust engagement in activities to that occasion. In 1971, on April 8th, 1971, the First World Romani Congress met in London, bringing Roma together from across Europe and the United States with the goal of promoting transnational cooperation among Roma, combating social marginalization, and building a positive future for Roma everywhere. April 8th is now celebrated as "International Roma Day" around the world. U.S. ambassadors and our embassies across Europe are frequently asked to participate in April 8th celebrations across the region. I commend the important work they are doing as they demonstrate U.S. commitment to inclusive societies not only on April 8th, but also throughout the year.

Third, this resolution commemorates the destruction of the so-called "Gypsy Family Camp" at Auschwitz. It is estimated that between 200,000 and 500,000 Romani people were killed in death camps and elsewhere throughout Europe. On August 2-3, 1944, Nazis murdered between 4,200 and 4,300 Romani men, women, and children in gas chambers when the Nazis decided to liquidate this camp. A number of governments in recent years have taken important steps to commemorate the genocide of Roma, to remember the victims, and educate future generations. Germany took an important step when it opened in Berlin a memorial for Sinti and Roma victims of National Socialism. I also

welcome the Czech government's decision to remove the pig farm at the site of the Lety concentration camp the role of the Museum of Romani Culture in ensuring a proper memorialization of that sensitive site.

Finally, this resolution commends the U.S. Holocaust Memorial Museum for its critically important role in promoting remembrance of the Holocaust and educating audiences about the genocide of Roma. The U.S. Holocaust Memorial Museum is the preeminent federal institution dedicated to serving as a living memorial to the Holocaust. I am honored to serve as a member of the U.S. Holocaust Memorial Museum Council, and I welcome the initiatives of the Museum to ensure that Romani victims are remembered and that related scholarship is supported.

I am pleased that Sen. WICKER has joined me in introducing this resolution and urge other colleagues to join us in celebrating Romani American heritage.

#### SENATE RESOLUTION 125—RECOGNIZING THE HERITAGE, CULTURE, AND CONTRIBUTIONS OF AMERICAN INDIAN, ALASKA NATIVE, AND NATIVE HAWAIIAN WOMEN IN THE UNITED STATES

Ms. MURKOWSKI (for herself, Mr. SCHATZ, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Ms. CORTEZ MASTO, Mr. DAINES, Ms. DUCKWORTH, Mr. HEINRICH, Ms. HIRONO, Mr. HOEVEN, Mr. KAINE, Mr. KELLY, Mr. KING, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. MORAN, Mr. MENENDEZ, Mr. MERKLEY, Mr. PADILLA, Ms. ROSEN, Mr. ROUNDS, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. WARNER, Ms. WARREN, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 125

Whereas the United States celebrates National Women's History Month every March to recognize and honor the achievements of women throughout the history of the United States;

Whereas an estimated 3,081,000 American Indian, Alaska Native, and Native Hawaiian women live in the United States;

Whereas American Indian, Alaska Native, and Native Hawaiian women helped shape the history of their communities, Tribes, and the United States;

Whereas American Indian, Alaska Native, and Native Hawaiian women contribute to their communities, Tribes, and the United States through military service, public service, and work in many industries, including business, education, science, medicine, literature, and fine arts;

Whereas American Indian, Alaska Native, and Native Hawaiian women have fought to defend and protect the sovereign rights of Native Nations;

Whereas American Indian, Alaska Native, and Native Hawaiian women have demonstrated resilience and courage in the face of a history of threatened existence, constant removals, and relocations;

Whereas more than 6,000 American Indian, Alaska Native, and Native Hawaiian women bravely serve as members of the United States Armed Forces;

Whereas more than 17,000 American Indian, Alaska Native, and Native Hawaiian women



are veterans who have made lasting contributions to the United States military;

Whereas American Indian, Alaska Native, and Native Hawaiian women broke down historical gender barriers to enlistment in the military, including—

(1) Inupiat Eskimo sharpshooter Laura Beltz Wright of the Alaska Territorial Guard during World War II; and

(2) Minnie Spotted Wolf of the Blackfeet Tribe, the first Native American woman to enlist in the United States Marine Corps in 1943;

Whereas American Indian, Alaska Native, and Native Hawaiian women have made the ultimate sacrifice for the United States, including Lori Ann Piestewa, a member of the Hopi Tribe and the first woman in the United States military killed in the Iraq War in 2003;

Whereas American Indian, Alaska Native, and Native Hawaiian women have contributed to the economic development of Native Nations and the United States as a whole, including Elouise Cobell of the Blackfeet Tribe, a recipient of the Presidential Medal of Freedom, who—

(1) served as the treasurer of her Tribe;

(2) founded the first Tribally owned national bank; and

(3) led the fight against Federal mismanagement of funds held in trust for more than 500,000 Native Americans;

Whereas American Indian, Alaska Native, and Native Hawaiian women own an estimated 154,900 businesses;

Whereas these Native women-owned businesses employ more than 50,000 workers and generate over \$10,000,000,000 in revenues as of 2016;

Whereas American Indian and Alaska Native women have opened an average of more than 17 new businesses each day since 2007;

Whereas American Indian, Alaska Native, and Native Hawaiian women have made significant contributions to the field of medicine, including Susan La Flesche Picotte of the Omaha Tribe, who is widely acknowledged as the first Native American to earn a medical degree;

Whereas American Indian, Alaska Native, and Native Hawaiian women have contributed to important scientific advancements, including—

(1) Floy Agnes Lee of Santa Clara Pueblo, who—

(A) worked on the Manhattan Project during World War II; and

(B) pioneered research on radiation biology and cancer;

(2) Native Hawaiian Isabella Kauakea Yau Yung Aiona Abbott, who—

(A) was the first woman on the biological sciences faculty at Stanford University; and

(B) was awarded the highest award in marine botany from the National Academy of Sciences, the Gilbert Morgan Smith medal, in 1997; and

(3) Mary Golda Ross of the Cherokee Nation, who—

(A) is considered the first Native American engineer of the National Aeronautic and Space Administration;

(B) helped develop spacecrafts for the Gemini and Apollo space programs; and

(C) was recognized by the Federal Government on the 2019 \$1 coin honoring Native Americans and their contributions;

Whereas American Indian, Alaska Native, and Native Hawaiian women have achieved distinctive honors in the art of dance, including Maria Tall Chief of the Osage Nation, who was the first major prima ballerina of the United States and was a recipient of a Lifetime Achievement Award from the Kennedy Center;

Whereas American Indian, Alaska Native, and Native Hawaiian women have accom-

plished notable literary achievements, including Northern Paiute author Sarah Winnemucca Hopkins, who wrote and published one of the first Native American autobiographies in United States history in 1883;

Whereas American Indian, Alaska Native, and Native Hawaiian women have regularly led efforts to protect their traditional ways of life and to revitalize and maintain Native cultures and languages, including—

(1) Tewa linguist and teacher Esther Martinez, who developed a Tewa dictionary and was credited with revitalizing the Tewa language;

(2) Native Hawaiian scholar Mary Kawena Pukui, who published more than 50 academic works and was considered the most noted Hawaiian translator of the 20th century; and

(3) Ahtna Athabascan Katie John of Mentasta Lake, who was the lead plaintiff in lawsuits that strengthened Native subsistence fishing rights in Alaska and who helped create the alphabet for the Ahtna language;

Whereas American Indian, Alaska Native, and Native Hawaiian women have excelled in athletic competition and created opportunities for other female athletes within their sport, including Rell Kapoliokaehukai Sunn, who—

(1) ranked as longboard surfing champion of the world; and

(2) co-founded the Women's Professional Surfing Association in 1975, the first professional surfing tour for women;

Whereas American Indian, Alaska Native, and Native Hawaiian women have played a vital role in advancing civil rights, protecting human rights, advocating for land rights, and safeguarding the environment, including—

(1) Elizabeth Wanamaker Peratrovich of the Tlingit Nation, who—

(A) helped secure the passage of the Anti-Discrimination Act of 1945 of the Alaska Territory, the first anti-discrimination law in the United States; and

(B) was recognized by the Federal Government on the 2020 \$1 coin honoring Native Americans and their contributions;

(2) Zitkala-Sa, a Yankton Dakota writer and advocate, whose work during the early 20th century helped advance the citizenship, voting, and land rights of Native Americans; and

(3) Mary Jane Fate of the Koyukon Athabascan village of Rampart, who was the first woman to chair the Alaska Federation of Natives, a founding member of the North American Indian Women's Association, and an advocate for settlement of Indigenous land claims in Alaska;

Whereas American Indian, Alaska Native, and Native Hawaiian women have succeeded as judges, attorneys, and legal advocates, including Eliza "Lyda" Conley, a Wyandot-American lawyer and the first Native woman admitted to argue a case before the Supreme Court of the United States in 1909;

Whereas American Indian, Alaska Native, and Native Hawaiian women have paved the way for women in the law, including Native Hawaiian Emma Kailikapiolono Metcalf Beckley Nakuina, who served as the first female judge in Hawaii;

Whereas American Indian, Alaska Native, and Native Hawaiian women are dedicated public servants, holding important positions in the Federal judicial branch, the Federal executive branch, State governments, and local governments;

Whereas American Indian and Alaska Native women have served as remarkable Tribal councilwomen, Tribal court judges, and Tribal leaders, including Wilma Mankiller, who—

(1) was the first woman elected to serve as Principal Chief of the Cherokee Nation; and

(2) fought for Tribal self-determination and the improvement of the community infrastructure of her Tribe;

Whereas American Indian, Alaska Native, and Native Hawaiian women have also led their People through notable acts of public service, including—

(1) Kaahumanu, who was the first Native Hawaiian woman to serve as regent of the Kingdom of Hawaii; and

(2) Polly Cooper of the Oneida Indian Nation, who—

(A) walked from central New York to Valley Forge as part of a relief mission to provide food for the army led by General George Washington during the American Revolutionary War; and

(B) was recognized for her courage and generosity by Martha Washington;

Whereas the United States should continue to invest in the future of American Indian, Alaska Native, and Native Hawaiian women to address the barriers they face, including access to justice, health care, and opportunities for educational and economic advancement; and

Whereas American Indian, Alaska Native, and Native Hawaiian women are the life givers, the culture bearers, and the caretakers of Native peoples who have made precious contributions, enriching the lives of all people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) celebrates and honors the successes of American Indian, Alaska Native, and Native Hawaiian women and the contributions they have made and continue to make to the United States; and

(2) recognizes the importance of supporting equity, providing safety, and upholding the interests of American Indian, Alaska Native, and Native Hawaiian women.

**SENATE RESOLUTION 126—CON-DEMNING THE CRACKDOWN BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND THE CHINESE COMMUNIST PARTY IN HONG KONG, INCLUDING THE ARRESTS OF PRO-DEMOCRACY ACTIVISTS AND REPEATED VIOLATIONS OF THE OBLIGATIONS OF THAT GOVERNMENT UNDERTAKEN IN THE SINO-BRITISH JOINT DECLARATION OF 1984 AND THE HONG KONG BASIC LAW**

Mr. RUBIO (for himself, Mr. CARDIN, Mr. BRAUN, Mr. BOOZMAN, Mr. HOEVEN, Mr. YOUNG, Mr. COONS, Mr. COTTON, Mr. DURBIN, Mr. HAWLEY, Mr. MARSHALL, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. MARKEY, Mr. RISCH, and Mr. TLLIS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 126

RESOLUTION

Whereas, on June 30, 2020, the Government of the People's Republic of China unilaterally enacted the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (in this preamble referred to as the "national security law") that banned secession, subversion of state power, and foreign interference, charges that were deliberately vague and expansive allowing the Government of the People's Republic of China maximum discretion to criminalize political expression of which it disapproves;

Whereas the national security law was passed without input from the semi-democratic Legislative Council of Hong Kong, or from the Hong Kong people more generally, and with no other attempt to account for the well-founded concerns of the Hong Kong people regarding the sweeping nature of the legislation and its incompatibility with Hong Kong's system of justice and legal protections for fundamental rights and freedoms;

Whereas the Government of the People's Republic of China, the Chinese Communist Party, and the Government of the Hong Kong Special Administrative Region have applied the draconian national security law arbitrarily to conduct a crackdown of unprecedented scope and intensity, criminalizing peaceful protests, political dissent, and other forms of nonviolent expression by the people of Hong Kong;

Whereas the objective of the political crackdown is to persecute individuals who have led peaceful pro-democracy movements in Hong Kong and to nullify the fundamental freedoms and human rights guaranteed to the people of Hong Kong under the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing December 19, 1984 (commonly referred to as the "Sino-British Joint Declaration of 1984"), and the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, adopted April 4, 1990 (in this preamble referred to as the "Hong Kong Basic Law");

Whereas, in July 2020, Hong Kong authorities charged 19-year-old activist Tony Chung with "inciting secession" on account of peaceful political speech that occurred prior to the enactment of the national security law, and, in October 2020, arrested and imprisoned Chung, who remains incarcerated awaiting trial under the national security law;

Whereas, in July 2020, Hong Kong authorities announced that elections for the Legislative Council scheduled to be held in September 2020 would be postponed for an entire year under the pretense of public health concerns;

Whereas, in August 2020, the Government of the People's Republic of China and the Chinese Communist Party detained 12 Hong Kong activists at sea, 2 of whom were juveniles, attempting to flee Hong Kong for Taiwan, and, after holding those individuals arbitrarily for 4 months and denying them access to lawyers hired by their families, in December 2020, tried them in a secret proceeding in Shenzhen, China, and, in January 2021, sentenced 10 of the 12 individuals to prison;

Whereas, in November 2020, the Standing Committee of the National People's Congress in Beijing, China, the rubber-stamp legislature of the Chinese Communist Party, adopted a decision that unilaterally disqualified Hong Kong legislators who "publicize or support independence," "seek foreign interference," or engage in "other activities that endanger national security," thereby allowing proxies of the Chinese Communist Party in Hong Kong to arbitrarily remove any legislator whose views the Party found objectionable, which they immediately did by removing 4 pro-democracy legislators;

Whereas, in December 2020, a Hong Kong court sentenced prominent pro-democracy leaders and activists Joshua Wong, Agnes Chow, and Ivan Lam to prison for their roles in an "unauthorized assembly" in 2019;

Whereas, in December 2020, Hong Kong authorities arrested the founder of Apple Daily and pro-democracy advocate Jimmy Lai on false charges, repeatedly denied him bail, and subsequently charged him with colluding

with foreign forces under the national security law;

Whereas, in January 2021, Hong Kong authorities arbitrarily arrested 53 pro-democracy politicians and subsequently charged all but 6 of them with "subversion" under Article 22 of the national security law for simply conducting a public opinion poll in July 2020 regarding candidates for the Legislative Council;

Whereas, on February 23, 2021, Hong Kong authorities announced that any candidate for district councilor, the lowest level of officials and the only office that is fully democratic, must be a "patriot" and take an oath swearing to uphold the Hong Kong Basic Law and pledge allegiance to the Government of the People's Republic of China, and candidates who engage in "negative" behaviors, such as promoting self-determination, composing a referendum, or "seeking to undermine the Hong Kong government's interest and political structure," will be barred from election for 5 years;

Whereas, on February 28, 2021, Hong Kong authorities arrested 47 pro-democracy figures, most of whom are or were elected government officials, with "conspiracy to commit subversion" under the national security law for organizing and participating in an informal democratic primary for the Legislative Council;

Whereas, on February 28, 2021, Secretary of State Antony Blinken stated, "We condemn the detention and charges filed against pan-democratic candidates in Hong Kong's elections and call for their immediate release. Political participation and freedom of expression should not be crimes. The U.S. stands with the people of Hong Kong.";

Whereas, on March 11, 2021, the National People's Congress in Beijing adopted measures designed to fundamentally undo the existing democratic process in Hong Kong; and

Whereas the people of Hong Kong have repeatedly shown extraordinary dedication to the cause of democracy and freedom for more than 3 decades, and almost continuously since 2014, protesting peacefully in the broiling heat and pouring rain while often enduring tear gas, water cannons, and worse, and have organized their communities, written petitions, tried to stand for office, and volunteered for various forms of civic engagement, and when the police attacked protesters, other Hong Kongers stepped up to serve as medics, legal advisers, and liaisons to the protestors' families: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the crackdown carried out in Hong Kong by the Government of the People's Republic of China, the Government of the Hong Kong Special Administrative Region, and the Chinese Communist Party under the illegitimate and arbitrary pretext of national security and notes that the crackdown violates the legal obligations of that Government under—

(A) the international, legally binding Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing December 19, 1984 (in this resolution referred to as the "Sino-British Joint Declaration of 1984"); and

(B) the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, adopted April 4, 1990 (in this resolution referred to as the "Hong Kong Basic Law");

(2) expresses solidarity with the people of Hong Kong, including pro-democracy advocates, independent journalists, lawyers, people of faith, and other targeted groups in Hong Kong;

(3) calls on the United States Government to use all diplomatic means and economic tools available, including targeted sanctions and measures provided for in the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116-76; 22 U.S.C. 5701 note) and the Hong Kong Autonomy Act (Public Law 116-149; 22 U.S.C. 5701 note), to—

(A) impose costs on Chinese Communist Party officials, officials of the Government of the People's Republic of China, and officials of the Government of the Hong Kong Special Administrative Region responsible for—

(i) the criminalization of political dissent under the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (in this resolution referred to as the "national security law"); and

(ii) the implementation of the national security law;

(B) provide refuge and safe harbor to those Hong Kongers at risk for persecution, including by designating such individuals as Priority 2 refugees of special humanitarian concern;

(C) demand the immediate and unconditional release of all political prisoners in Hong Kong, including Joshua Wong, Agnes Chow, Jimmy Lai, Martin Lee, Margaret Ng, Lee Cheuk-yan, Leung Kwok-hung, Benny Tai, Tony Chung, the Hong Kong 12, and all others who have been arrested or detained on account of acts of political expression or speech, and press for all charges against those individuals to be dropped; and

(D) demand the revocation of the political oaths required of civil servants and candidates for district councilor and the Legislative Council of Hong Kong, the reinstatement of the previously disqualified members of the Legislative Council, and the revision of election laws to ensure consistency with Article 26 of the Hong Kong Basic Law;

(4) calls on the United States Government, as it contemplates future bilateral or multilateral agreements with the Government of the People's Republic of China, to take into full consideration the fact that the Government of the People's Republic of China is failing to honor its clear obligations under the Sino-British Joint Declaration of 1984; and

(5) calls on the United States Government to urge the International Olympic Committee to consider relocating the 2022 Winter Olympics from Beijing to another suitable host city located outside of China, on account of the flagrant violations of human rights committed by the Government of the People's Republic of China and the Chinese Communist Party in mainland China, Hong Kong, the Tibet Autonomous Region and other Tibetan areas, the Inner Mongolia Autonomous Region, the Xinjiang Uyghur Autonomous Region, and elsewhere.

#### AUTHORITY FOR COMMITTEES TO MEET

Mrs. MURRAY. Mr. President, I have 8 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 18, 2021, at 9:30 a.m., to conduct a hearing.

## COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, March 18, 2021, at 10 a.m., to conduct a hearing.

## COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, March 18, 2021 at 10 a.m., to conduct a hearing.

## COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor and Pensions is authorized to meet during the session of the Senate on Thursday, March 18, 2021, at 10 a.m., to conduct a hearing.

## COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, March 18, 2021 at 10:15 a.m., to conduct a hearing.

## COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, March 18, 2021, at 10 a.m., to conduct a hearing on nominations.

## COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Thursday, March 18, 2021, at 10 a.m., to conduct a hearing.

## SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, March 18, 2021, at 9:30 a.m., to conduct a hearing.

## ORDERS FOR MONDAY, MARCH 22, 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, March 22; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of the nomination of Martin Joseph Walsh to be Secretary of Labor as provided under the previous order; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. For the information of Senators, on Monday, after the Senate convenes, we expect to swear in Karen Gibson to be Senate Sergeant at Arms.

## ORDER FOR ADJOURNMENT

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous con-

sent that it stand adjourned under the previous order following the remarks of Senator CORNYN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

## BORDER SECURITY

Mr. CORNYN. Madam President, whether the administration wants to call it a challenge or a mess—or pick your word—a calculated word choice does not change the magnitude of what is currently happening on our southern border.

Hundreds of unaccompanied children are being detained on a daily basis, completely overwhelming the capacity of the Border Patrol and Health and Human Services to deal with it—witness the two new centers opened up in Midland, TX, in West Texas, and a new one at the Kay Bailey Hutchison Convention Center in Dallas that will house approximately 300,000 young men.

At one point, there were more than 4,200 children in custody, nearly 3,000 of them held beyond the 72-hour time limit set by the Flores Settlement. For comparison, there were about 2,600 children in custody at any given time during the peak in 2019, so 2,600 now to 4,200.

In many cases, these children don't make the dangerous journey north with their parents but in the care of human smugglers—coyotes, as they are called. Parents pay these smugglers thousands of dollars to bring their children to the United States.

In some cases, along that long, treacherous journey, whether it is from Central America or from Mexico or anywhere else—because these children are not just limited to Mexico and Central America—these children are kidnapped by the smugglers on their way to the border because they know having a child in their custody will give them preferential treatment and allow them to stay in the country. Sadly, we know that, too often, children are mistreated, abused, or even sexually assaulted on the way to the United States.

There is a lot of work that has to be done from the moment the Border Patrol first encounters these children until they are transferred into the custody of Health and Human Services, but the Border Patrol lacks the physical space or the personnel or the resources to provide this number of children with the care and support they need and also to carry out their duties, especially during a deadly pandemic.

On Monday, I spoke with the Border Patrol sector chiefs and the Office of Field Operations Directors from across Texas. We talked about the surge in unaccompanied children and the cascading consequences this crisis has had on our other border missions.

As Border Patrol officers encounter, transport, and care for these children, they are often invariably diverted from their job securing the border, and so security gaps are left along the rest of the border. This is not an accident.

This is really part of the strategy that the human smugglers and drug smugglers have: flood the zone, preoccupy the Border Patrol taking care of children, leaving gaps that can then be exploited, either by more human smugglers or by drug smugglers.

We all know that large amounts of heroin, cocaine, methamphetamine, fentanyl, and the like come across our southern border. Ninety-two percent, according to the DEA, of all the heroin in the United States comes from Mexico.

So these smugglers and their really criminal organizations that ply in different commodities and different things, they flood the system to distract the Border Patrol and then exploit the vulnerabilities to bring people, drugs, weapons, and money across.

One of the Border Patrol chiefs told me that Customs and Border Protection needs to be able to identify and classify the migrants they meet, and it is being strained, which is impacting national security. For example, last Friday when I was in Carrizo Springs and in Laredo with my friend HENRY CUELLAR, a Democrat representing a border district in Texas along the Rio Grande, the sector chief told us that, just so far this year, migrants from 54 different countries were detained coming across the border in the Del Rio Sector. Now, I think that sort of gives you a better idea that this is not just a localized phenomenon; these are criminal networks with really connections all around the world. If you want to come from Mexico, for example, it will cost you a few thousand bucks. If you want to come from Central America, you pay a little bit more of a premium. If you want to come from Europe or a Middle East country, it will cost you even more. But it is only a matter of money because that is the only thing that these smugglers and these criminal organizations care about.

But then people from 54 different countries, some of which are countries of special interest to the United States for national security purposes—54 countries represented just so far this year in one sector, and I am sure the other Border Patrol sectors have similar stories.

What is more, since October, the Border Patrol has encountered more than 4,000 criminal aliens, nearly double the amount from the previous fiscal year in less than half the time. In order to qualify as a criminal alien, you have committed significant crimes, like assault, battery, domestic violence, sexual offenses, even manslaughter and homicide. Of course, these are just the ones we know about and who were actually detained. Many more—we don't know how many more, but many more get through unobstructed across the border.

While Border Patrol is overwhelmed by the sheer number of people crossing

our border, including the alarming number of children sent by themselves, the Border Patrol isn't able to properly surveil or apprehend potentially dangerous individuals and substances.

We have experienced migration surges in the past, most recently in 2014 when President Obama called it a humanitarian crisis and then again in 2019. We know how dangerous the journey to our border is for migrants, especially children. We know that spring and summer are often the busiest time periods. In other words, what we are seeing now is just a foreshadowing of what we expect to see in the coming weeks and months.

We also know that these criminal organizations pay attention to what our leaders are saying here in the United States. Congressman CUELLAR and I, when we were in Carrizo Springs, were able to talk to a number of young men, teenagers, and asked how they heard about the border and their ability to get across. They said, well, they saw it on TV or heard from family members here in the United States or saw it on social media that now is the time to come, with a new administration that is not committed to border security, and so this was the time to make their run across the border.

But these organizations do pay attention, and unfortunately the actions of the Biden administration not only contributed to another surge this year, but they also made likely that it would be bigger than any other in recent memory.

The President campaigned on policies that would lead to this very outcome. After all, when you send a message that migrants can come to the United States even with the flimsiest asylum claims and stay for years until they are resolved and don't even really have to show up for their court hearing because of the backlog of 1.2 million cases in our immigration courts, what do we expect to happen?

What the Border Patrol tells me is that this is a combination of push factors and pull factors. The push factors we are familiar with. Who wouldn't want to come to the United States for a better life? Who wouldn't want to avoid the violence and crime associated with some of the gang activity in Central America? We all understand that. But the pull factors are the sense that you can actually successfully get into the United States through illegal means or by making a false asylum claim and then overloading the system and basically navigate your way into the United States without any negative consequences.

I believe we need to set up a system that honors and respects all legitimate asylum claims, but this isn't it. We need to find a way to move the children and other people claiming asylum to the head of the line so they can present their claims to an immigration judge. But, as you can imagine, only about 10 to 12 percent of the asylum claims are actually granted, and if your only con-

cern is making it into the United States, maybe you don't want to go in front of an immigration judge. But then again, those who don't, the immigration judge, when their appointed court date comes, issues a default order of deportation. So if you had a valid asylum claim that would have been granted by a judge, you have lost that by virtue of your nonappearance at your hearing.

Well, Secretary Mayorkas said we are on track to see the highest number of border crossings in almost 20 years, and I can't say that I am surprised. There is simply no way to rewind time and prevent this crisis from happening, but it is absolutely urgent first that the administration acknowledge it and then work with Congress to address it.

I would encourage the President to follow his own advice, which is to listen to the experts. The experts I listen to when I travel to the border are Border Patrol, Health and Human Services, and the Office of Refugee Relocation. Those are the three Federal Government Agencies that deal with this crisis. I would be glad to welcome him to my State and introduce him to the dedicated men and women along the border who provide valuable services but who simply are overwhelmed and undersourced.

The communities in which they live along the border are beautiful, vibrant communities with outstanding local leaders, but they also feel like they have been abandoned by the Federal Government. They are the ones who are disproportionately impacted when you see a flood of humanity come through their borders, and they try their best, through nongovernmental organizations or just out of simple human mercy and sympathy for the plight of these migrants, to help them any way they can. But they, too, are overwhelmed. They are doing everything they can to manage the crisis, which they had no hand in creating, and they should not be expected to manage it without help from the Federal Government that is, indeed, responsible for our border.

Law enforcement, mayors, county judges, nongovernmental organizations—I have a long list of folks that I would be happy to share with the administration if they would be willing to listen. Indeed, one of the most significant things I think that President Biden could do, like he did after the polar vortex, the big freeze we had in Texas, the 120-year weather event—he was good enough to come to our State and talk to the first responders. I think he would benefit greatly if he made another trip on Air Force One down to the border so he could do what I have had the opportunity to do, and that is to talk to the experts and the people on the ground who understand this crisis and who have some, I think, very constructive ideas about how to deal with it.

#### REMEMBERING ROGER SOFER

Mr. CORNYN. Madam President, on another matter, nearly 20 years ago, I took my first trip to Israel. I had a good stroke of fortune: I met a brilliant, hilarious, opinionated, larger-than-life man named Roger Sofer. Roger was simply unlike anyone I had ever met before or anyone I have met since. He could captivate a room with anything from a serious discussion of national security and Israel-U.S. policies, to stories from his childhood, to jokes that, well, probably shouldn't be repeated here on the Senate floor.

Roger cared deeply about his family, his Jewish faith, and the many friends he earned throughout his life. I consider myself fortunate to be among those friends, and I would like just to share a few words about my friend Roger, who passed away last week.

As the old saying goes in my State, Roger wasn't born in Texas, but he got there as fast as he could. The incredible story of his life began in Queens, NY. It led him to the University of Tampa on a baseball scholarship as a left-handed pitcher and then to Fort Dix with the Army. He then went back to Florida, where he worked as a cabdriver, home to New York as a sales representative, and then finally to Houston, TX, where he lived when he and I met.

Clearly, young Roger was an enterprising guy. He understood the value of hard work, and even more importantly, he learned about the value of relationships. Roger and his friend Dan Steiner started their own financial planning and insurance firm and quickly found success.

Roger truly cared about everyone he worked with—his clients, his employees, and their families.

That personal attention translated into a thriving business and a lot of rewards in recognition to go along with it. But Roger never let work consume his entire life or take away from the people and causes he cared most about.

Roger grew up in a religious home and inherited a deep appreciation of his Jewish faith. His father Hyman was his hero and instilled in him a love of our country, as well as a love of Israel. Hyman would say, "Don't worry about business, Roger, because if there's no Israel, there will be no business." That thought stuck. Throughout his life, Roger fought to secure a brighter future for our friends and allies in Israel.

In the 1980s, Melvin Dow and Stanford Alexander, two giants in the AIPAC community—the American Israel Public Affairs Committee—asked Roger to help grow the pro-Israel committee in Houston. Well, I know Roger never did anything halfway; he poured his heart and his soul into outreach efforts. When you have somebody as outgoing, passionate, and likable as Roger, you are bound to get results.

Roger's work in Houston was so successful that in 2002 he was asked to serve on AIPAC's National Board, a position he would hold for nearly two

decades. Lucky for me, that is how Roger and I ended up on the same trip to Israel in March of 2002. We visited Israel during the Second Intifada, a time of serious violence and unrest. Little did I know at the time I wouldn't just look to Roger for insight during our trip; he would become a trusted friend and source of advice over the next two decades.

Make no mistake, I wasn't the only one who learned from Roger. As a member of AIPAC's National Board, he would make almost monthly trips to Washington, DC—often with a group of Texans—to advocate for a strong future and a strong U.S.-Israel relationship.

Teddy Roosevelt once said, "Nobody cares how much you know until they know how much you care." It only took a few words to realize how much Roger knew because you also saw how much he cared. He cared deeply about Israel, its people, and its success, and became a respected voice on the importance of a strong U.S.-Israel relationship. He didn't care if you were a Democrat or a Republican—if you were willing to listen, he was happy to talk. But meetings with Roger weren't limited to conversations about the Middle East or ongoing political tensions; in typical fashion, he peppered every conversation with a lot of fun too.

It wasn't uncommon for Roger to walk into a meeting with a Senator or

a Congressman and show them pictures of his beloved dog, Ginger. It was even less surprising for that person to ask Roger the next time that they saw him, "So, Roger, how is Ginger doing?" He was a big animal lover, and along with dogs, his other great love, interestingly enough, was horses. He loved the animals themselves, as well as the atmosphere and energy at horse tracks. He was such a great handicapper that Rice University sent a statistics class with him to a horse track just so they could see how he did it.

Last year, just days after being diagnosed with a rare form of leukemia, Roger was able to witness the moment every horse enthusiast dreams about. A horse he co-owned named Tiz the Law qualified for the Kentucky Derby. That horse would go on to win the Belmont Stakes and place second in the Run for the Roses—one of Roger's proudest accomplishments.

Yes, Roger was a man of many talents: a left-handed pitcher, an expert handicapper, an amateur comedian, a skilled storyteller, and an effective advocate. Above all, though, Roger's greatest skill was his ability to live fully and authentically. He valued his relationships above all else, and he could turn a complete stranger into a friend with just a few words. I believe our friendship was proof of that.

Sadly, I, along with my wife Sandy, send condolences to Roger's beloved

family, including his wife Linden; his children, Nicole, Scott, Jennifer, and Rebecca; as well as his grandchildren, Elizabeth, Sam, and Beau.

Roger lived an extraordinary life, and he leaves behind an unforgettable legacy. I am grateful to have known this man.

I yield the floor.

---

ADJOURNMENT UNTIL MONDAY,  
MARCH 22, 2021

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 3 p.m. on Monday, March 22, 2021.

Thereupon, the Senate, at 3:35 p.m., adjourned until Monday, March 22, 2021.

---

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 18, 2021:

##### CENTRAL INTELLIGENCE AGENCY

WILLIAM JOSEPH BURNS, OF MARYLAND, TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

##### DEPARTMENT OF STATE

BRIAN P. MCKEON, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF STATE FOR MANAGEMENT AND RESOURCES.

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

XAVIER BECERRA, OF CALIFORNIA, TO BE SECRETARY OF HEALTH AND HUMAN SERVICES.